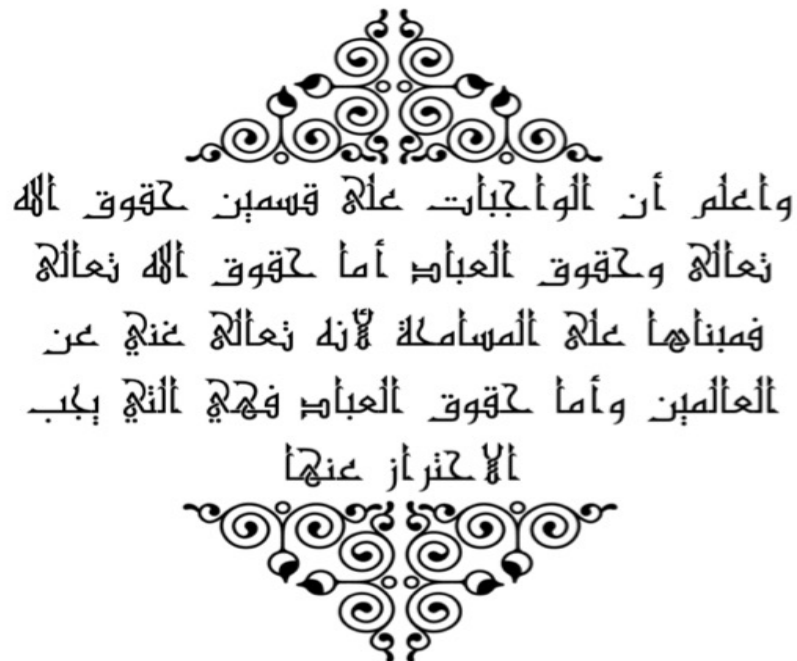


Theological Trends in Sunnī *Tafsīr* on Q.11:117: Universal Ethics and Divine Punishment

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*All dates are in AH/CE or in CE only.

**All the figures, tables and charts are original, made by the author.

Abbreviations:

<i>EQ</i>	<i>Encyclopaedia of the Qur'ān</i> . Jane Dammen McAuliffe Ed. Leiden: Brill 2001-2006, in 6 volumes.
<i>EI</i>	<i>Encyclopaedia of Islam, First Edition</i> . M. Th. Houtsma e.a. Ed. Leiden: Brill 1913-1936, in 4 volumes (plus supplements).
<i>EI2</i>	<i>Encyclopaedia of Islam, New Edition</i> . H.A.R. Gibb e.a. Ed. Leiden: Brill 1986-2004, in 11 volumes (plus supplements).
<i>EI3</i>	<i>Encyclopaedia of Islam, Three</i> . Kate Fleet e.a. Ed. Leiden: Brill 2007.
<i>SQ</i>	<i>The Study Quran: A new translation with notes and commentary</i> . Seyyed Hossein Nasr e.a. Ed. United States: HarperOne, 2015.

1. Introduction

1.1. Trends in Sunnī tafsīr as indicator for theological positions

The Qur'ān has always been understood in variant ways by the different schools and sects within the Islamic tradition. These different interpretations arose due to methodological and textual differences in consonantal, grammatical, and semantical readings. Within the Sunnī tradition the multiple readings (*qirā'āt*) and interpretations (*tafsīr* and *ta'wīl*) generated and acknowledged by it, are classified based on historical, theological, and logical criteria.¹ The employment of both grammar and semantics in the service of establishing narrative, ethico-legal and theological possibilities and premises was one of purposes of the *tafsīr* tradition. Some examples are:

- * Q.3:7 can be read as {**none knows their interpretation except God. And those who have knowledge say, 'we believe in them as all of them are from the Lord'**} thereby excluding knowledge of the true meaning of the metaphorical verses to God alone. Or when the period (*waqf*) is shifted so it can be read as {**none knows their interpretation except God and those who have knowledge. They say, 'we believe in them as all of them are from the Lord'**} thereby including certain knowledgeable humans, together with God, in having access to the ultimate true meaning of the metaphorical verses.²
- * Q.85:21–2 can be read, according to the *Hafṣ* recitation, as *Qur'ān^{un} majīd^{un} fī lawḥⁱⁿ mahfūzⁱⁿ* {**a glorious Qur'ān, in a well-preserved tablet**}, or, according to the *Warsh* recitation, as *Qur'ān^{un} majīd^{un} fī lawḥⁱⁿ mahfūz^{un}* {**a glorious well-preserved Qur'ān in a tablet**}. In the former is the Qur'ān, and all of fate, written on the tablet and protected against tampering or change by others than God. This could imply that not there is no protection of the Qur'ānic text as it is recorded on earth. In the latter reading the Qur'ān is protected by God in its revealed form on earth.³
- * Q.2:29 is central in the discussion on the ontology of creation: did God create everything with an inherit benefit (*intifā'*) and permittance (*mubāḥat fī al-aṣl*), and does this ontology generate ethical responsibility (*taklīf*)? The adherents of this position are called the people of permittance (*ahl al-ibāḥa*), and are mainly from the Ḥanafī school (the Mu'tazila and Māturīdī), who argued that as God is without need it means creation is created for the benefit of creation itself, and must be rationally constructed and

¹ On the classification of readings, see: Muḥammad Shaykh Ibrāhīm Ḥaqqī, *'ulūm al-qur'ān min khilāl muqadīmāt al-tafsīr* (Beirut: Mu'assasat al-Risālah, 2004), 2:251–257; Mannā' al-Qaṭṭān, *Mabāḥith fī 'ulūm al-Qur'ān* (Beirut: Mu'assasat al-Risālah, 2009), 157–168; Recep Doğan, *Usūl al-tafsīr: The sciences and methodology of the Qur'ān* (Clifton: Tughra Books, 2014), 246–9. On the classification of interpretations, see: Hussein Abdul-Raof, *Schools of Qur'anic Exegesis: Genesis and development* (Abdingdon: Routledge, 2010), 111–164; Hussein Abdul-Raof, *Theological approaches to Qur'anic exegesis: A practical comparative-contrastive analysis* (London: Taylor & Francis, 2010), 84–93.

² Abū Maṣṣūr al-Māturīdī, *Tā'wīlāt ahl al-sunnah* (Beirut: Dār al-Kutub al-'Ilmiyyah, 2012), 2:312.

³ Maḥmūd al-Alūsī, *Rūḥ al-ma'ānī fī tafsīr al-qur'ān al-'aẓīm wa al-sab' al-mathānī* (Cairo: Dār al-Ḥadīth, 2005), 30:386.

inherently good for humans.⁴ The *lām* in *khalaqa la-kum* {**He created for you**} implies a rationale (*ta'īl*) and goal/purpose (*ghāyya/gharaḍ*) behind the act of creation.⁵ The opponents of this position, mainly from the Ash'arī, saw this as obligating and restraining God as He must adhere to creational needs and purposes.⁶ The *lām* therefore does not imply *for humans* but must be understood in line with Q.51:56 {**I have created the Jinn and mankind except to worship Me** (*li-ya 'budūni*)}.⁷ The Mu'tazila argued from the idea that God was obligated to do the best for creation (*al-aṣṣlah*), the Māturīdī on the other hand argued from the idea that the beneficial purpose of the act of creation comes from divine wisdom (*al-hikma*) and therefore does not imply an external obligation on God. The Ash'arī rejected the former, but partially accepted the latter.⁸

These are but a small sample in how textual readings and variances are applied in the service of Islamic theology and jurisprudence. Some variances are allowed as they do not create any theological controversies. Others can determine the boundaries of human authority such as the readings on Q.3:7. But some adopted readings, such as the discussions surrounding Q.2:29, can determine a theological paradigm shift within a school itself. We will analyze such a reading and try to show how such shifts in theological positions within the Sunnī school of thought can be traced within its exegetical tradition. Our focus will be on Q.11:117 and the different ways its meaning is understood in relation to belief, works and divine punishment. Does Q.11:117 simply deny God is unjust, or does it also deny that God destroyed civilizations simply because they were infidels?

Q.11:117: {And your Lord does not destroy the towns (*wa mā kāna rabbuka li-yuhlika al-qurā*) based on/caused by wrongdoing (*bi-ẓulm*), while its people are rightdoers (*wa ahluhā muṣliḥūna*)}.

All schools in Islam agreed God is not unjust, and it is this consensus which forms the basis for the earliest readings of Q.11:117. God can never be the agent of any wrongdoing (*ẓulm*). But with the development of the Sunnī theological and jurisprudential tradition, a new reading emerges which shifts the agent of the wrongdoing to the people of the towns. God remains just, but His justice is expanded in that He will not destroy the towns caused by wrongdoing committed by its people. In our analysis of several exegetical works we will show how the *tafsīr* tradition reflects and introduces theological and juristic trends. Their discussions on the prophetic tales (*qīṣaṣ al-anbiyā'*) incorporate central themes in Islamic theology such as God's

⁴ Anver Emon, *Islamic Natural Law Theories* (New York: Oxford University Press, USA, 2010), 40–41; Muḥammad al-Ḥanafī al-Qūnawī, *Ḥāshiyat Al-Qūnawī 'alā tafsīr al-imām al-Bayḍāwī* (Beirut: Dār al-Kutub al-'ilmiyyah, 2001), 3:81–87; Wahba al-Zuhaylī, *Uṣūl al-fiqh al-islāmī* (Damascus: Dār al-Fikr, 2013), 1:93–98.

⁵ Al-Qūnawī, *Ḥāshiyat Al-Qūnawī*, 3:82; Shāh al-Hindī, *Al-iklīl 'alā madārik*, 1:302.

⁶ Al-Rāzī, *Al-Tafsīr al-kabīr*, 2:141–142. The majority of the Ash'arī rejected the *ibāḥa* position from a theological perspective, but embraced it in their philosophy of law (*uṣūl al-fiqh*) whereby the maxim “The principle is that all things are permitted (*al-aṣṣl fī al-ashā' al-ibāḥa*)” became accepted by most schools. Imran Ahsan Khan Nyazee, *Islamic Legal Maxims (Qawā'id Fiqhiyyah)* (Islamabad: Center for Excellence in Research, 2016), 110–115.

⁷ Al-Rāzī, *Al-Tafsīr al-kabīr*, 2:142.

⁸ Ulrich Rudolph, *Al-Māturīdī and the Development of Sunnī Theology in Samarqand* (Leiden: Brill, 2015), 296–300; Ramon Harvey, *The Qur'an and the Just Society* (Edinburgh: Edinburgh University Press, 2017), 28–33.

justice and mercy, belief and unbelief, just and unjust works, the relation between prophets and their peoples, the causes of these people's demise, and how this affects the hierarchy between ethics and creed. This development eventually became a ground for classical rights discourse which for the largest part only had its presence within the exegetical tradition, even though it was a clear expression of the development within Sunnī thought itself. The development of Islamic theology goes hand in hand with the development of jurisprudence and exegesis, whereby the latter two are not simply expositions of the former, but equally inform it. To understand the development noticable in Sunnī exegesis on Q.11:117, we will provide central typologies of the *tafsīr* tradition, and then analyze the theological and juristic developments surrounding belief, works and responsibility. These developments eventually affected the way prophetic tales and divine punishment were understood, which also affected the exegetical readings on Q.11:117. Analyzing the development of the *tafsīr* tradition on Q.11:117 should therefore provides us a direct reflection of the development within theology and jurisprudence.

1.2. Typologies of the *tafsīr* tradition

“[Exegesis] is the noblest and greatest of the sciences (*ashraf al-‘ulūm wa ‘aẓamuhā*).”

Hājī Khalīfa (d. 1067/1628)⁹

There are many different focuses and terminologies used to define and categorize exegetical history, developments and trends within in Islam. Although the *tafsīr* tradition is one of the main concerns of this analysis, it is beyond the scope of this paper to provide detailed discussions on the authenticity and history of the *tafsīr* works and tradition¹⁰, or methodology and background of the exegetes¹¹, instead we will provide an introductory overview of exegetical typologies. We can divide the Islamic tradition into five time periods¹² which coincide with four phases of the *tafsīr* tradition¹³:

⁹ Hājī Khalīfa, *Kashf al-ẓunūn ‘an asāmī al-kutub wa al-funūn* (Baghdad: Dār al-‘ulūm al-ḥadītha, 1941), 1:427.

¹⁰ For detailed discussions on this, see: Cornelis H. M Versteegh, *Arabic Grammar And Qur’ānic Exegesis In Early Islam* (Leiden: Brill, 1993), 41–91; Claude Gilliot, “The Beginning Of Qur’ānic Exegesis”, in *The Qur’an: Formative Interpretation* (Aldershot: Ashgate, 1999), 3–23; Fred Leemhuis, “Origins And Early Development Of The Tafsīr Tradition”, in *Approaches To The History Of The Interpretation Of The Qur’ān* (Oxford: Clarendon Press, 1988), 13–28; Abdul-Raof, *Schools of Qur’anic Exegesis*, 1–32.

¹¹ Almost all of the exegetical works used in this analysis are by Sunnī scholars or works which take a prominent position within the Sunnī tradition. For an extensive overview of Muslim exegetes, cf. Yāsir b. Māṭer al-Maṭrafi, *Al-‘aqā’idiyyat wa tafsīr, al-naṣṣ, al-qur’āniyya* (Beirut: Markaz Namā’ li-l-buḥūth wa al-darāsāt, 2016); Muḥammad Tāhir al-Banjabīrī, *Nayl al-sā’irīn fī ṭabaqāt al-mufasssīrīn* (Beirut: Dār al-Kutub al-‘ilmiyyah, 2011); Manī’ ‘Abd al-Ḥālīm Maḥmūd, *Manāḥij al-mufasssīrīn* (Beirut: Dār al-Kitāb al-Binānī, 2000); Ṣāliḥ al-Fatāḥ al-Khālīdī, *Ta’rīf al-dārisīn bi-manāḥij al-mufasssīrīn* (Damascus: Dār al-Qalam, 2008); ‘Ādil Nuwayhid, *Mu’jam al-mufasssīrīn min ṣadr al-islām ilā al-‘aṣr al-ḥāḍir*, 2nd ed. (Beirut: Mu’assasat Nuwayhid al-Thaqāfiyyah, 1988), two volumes in one.

¹² Haim Gerber, *Islamic Law And Culture, 1600-1840* (Leiden: Brill, 1999), 3 fn8.

¹³ Abdul-Raof, *Schools of Qur’anic Exegesis*, 11–12.

- * Pre-classical period (7–10th century) → formative phase
- * Classical period (10–12th century) → classical or recording phase
- * Post-classical period (12–15th century) → mature or recording phase
- * Early modern period (15–17th century) → mature or recording phase
- * Modern period (17th–21st century) → contemporary or modern phase

The majority of exegetical typologies developed in the pre-classical and classical periods. These typologies can be categorized as narrative (haggadic) exegesis which focuses on the Qur'ānic tales (*qīṣaṣ al-anbiyā'*, *qaṣaṣ al-Qur'ān*) and meaning derived through tradition; legal (halakhic) exegesis which focuses on verses with ritualistic and legal import (*aḥkām al-Qur'ān*); textual (masoretic/rhetorical) exegesis which focuses on consonantal and grammar differences (*al-qirā'āt*, *ma'ānī al-Qur'ān/i'rāb al-Qur'ān*); and dialectical (allegorical/symbolic) exegesis which focuses on rational/hypothetical and allegorical possibilities of verses in service of theological, esoteric, and apologetic premises. Although all these typologies apply a combination of traditional and rational sources and methodologies, there developed a dualistic overarching categorization of traditional exegesis (*al-tafsīr bi-l-mā'thūr/al-tafsīr al-riwāya/al-tafsīr al-naqlī*) and rational exegesis (*al-tafsīr bi-l-rā'y/al-tafsīr al-dirāya/al-tafsīr al-'aqlī*) to define the dominant approach within these typologies. A similar categorization developed towards the terms *tafsīr* and *tā'wīl*, whereby the former was seen as representing exegesis based on definitive proof (*dalīl qāṭi'*), such as prophetic exegesis or exegesis from the early generations of Muslims (and therefore belonging to traditional exegesis), and the latter as representing exegesis based on hypothetical proof (*dalīl ḡanni*) (and therefore belonging to rational exegesis).¹⁴ But just as there are multiple narrations, so there are multiple possible hypothetical interpretations, meaning both types of exegesis require the application of preference (*tarjīḥ*) to determine the most reliable or reasonable sources in each given approach.¹⁵ In the first century the majority of exegetical texts existed mainly as oral teachings and notes, attributed to several important authorities (prophet Muḥammad, his companions, and their successors), which either ended up in tradition collections or were gathered into paraphrastic works.¹⁶ In the second century there emerged monographical works such as by Muqātil b. Sulaymān (d. 150/767), who wrote one of the earliest complete *tafsīr* (covering all verses), and which applied a generally narrative approach.¹⁷ After the third century we see a development towards multivolume works which combine the typologies (although maintaining either a dominant traditional or rational approach), such as by Ibn Jarīr al-Ṭabarī

¹⁴ Haqqī, *'ulūm al-qur'ān*, 1:170–191; Versteegh, *ibid*, 46–47; Abdul-Raof, *Schools of Qur'anic Exegesis*, 9–14, 28–32, 84–110; John Wansbrough, *Quranic Studies: Sources And Methods Of Scriptural Interpretation* (Amherst, NY: Prometheus Books, 2004), 119; Khālīd 'Abd al-Raḥmān al-'ak, *Uṣūl al-tafsīr wa qawā'idduhu* (Beirut: Dār al-Nafā'is, 2007), 49–64, 109–254; Al-Maṭrafi, *Al-'aqā'idīyyat wa tafsīr*, 277–471.

¹⁵ Traditions used in traditional exegesis were categorized from fabricated, weak to stronger levels of authenticity and meaning. Rational exegesis was viewed as either being reprehensible (*al-rā'y al-madhmūm*) or praiseworthy (*al-rā'y al-maḥmūd*). Cf. Sulaymān al-Ṭayyār, *Maqālāt fī 'ulūm al-qur'ān wa uṣūl al-tafsīr* (Riyad: Dār al-Muḥaddith, 2004), 209–226, 250–256; Al-Khālīdī, *Ta'rīf*, 197–232, 299–341, 411–463.

¹⁶ Versteegh, *ibid*; Gilliot, *ibid*, 111–142.

¹⁷ Cf. Nicolai Sinai, “The Qur'anic Commentary Of Muqātil B. Sulaymān And The Evolution Of Early Tafsīr Literature”, in *Tafsīr And Islamic Intellectual History: Exploring The Boundaries Of A Genre* (New York: Oxford University Press, 2014), 113–143.

(d. 310/923), whose work epitomizes the *tafsīr bi-l-mā'thūr* genre¹⁸, and by Abū Manṣūr al-Māturīdī (d. 333/944), whose work epitomizes the *tafsīr bi-l-rā'y* genre.¹⁹ Qur'ānic exegesis played, next to theological tracts themselves, a central role in propagating the theologies of different schools of thought.

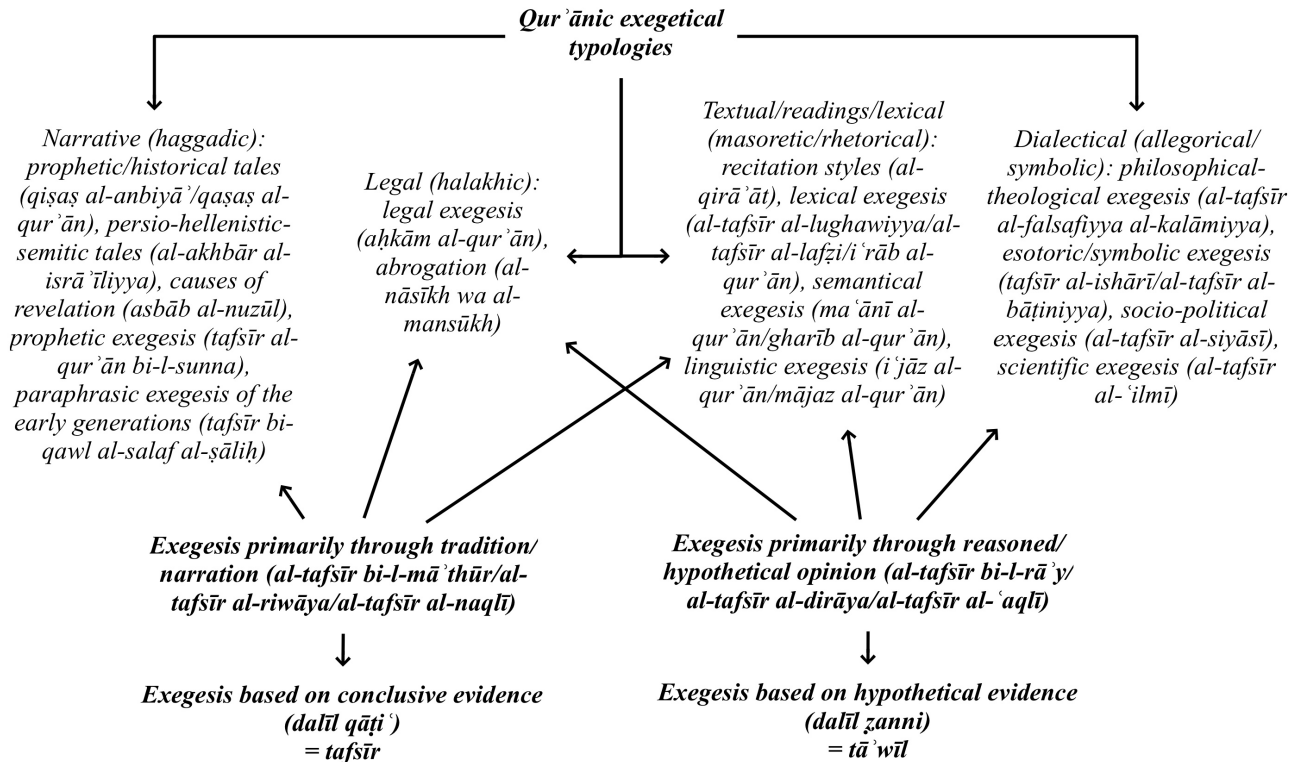


Figure 1. *Qur'ānic exegetical typologies*

The Khawārij, Mu'tazila, Sunnī orthodoxy, the different sects among the Shī'a, and other schools and sects, all had generated exegetical works to promote and establish the premisses and main foundations of their theologies.²⁰ Narrative, legal and textual typologies were all applied in the service of dialectical exegesis. With the start of the classical period there not only emerged multiple *tafsīr* works which provide commentary on almost all verses in the Qur'ān, but also encyclopedic works (*muṭawwalāt al-tafsīr*, "lengthy exegesis") which gathered as many and as diverse exegetical commentary as possible. Although the gathered material was clearly selected by applying preference, it also included the opinions or traditions from what were deemed rival or heretical schools. These were included to either refute them, or to cite

¹⁸ Although some identify al-Ṭabarī's approach as being between the genres, labelling it as *tafsīr al-athār al-nazarī* (exegesis through tradition and insight). On al-Ṭabarī and his exegesis, see: Doğan, *History Of The Methodology*, 41–45; Herbert Berg, *The development of exegesis in early Islam: The authenticity of Muslim literature from the formative period* (London: Taylor & Francis, 2009), 120–141.

¹⁹ On al-Māturīdī and his exegesis, see: Rudolph, *ibid*, 125–200; Götz, *ibid*, 181–214; Doğan, *History Of The Methodology*, 147–154; Walid A. Saleh, "Rereading Al-Ṭabarī Through Al-Māturīdī: New Light On The Third Century Hijrī", *Journal of Qur'anic Studies* 18, no. 2 (2016): 180–209.

²⁰ Muṣṭafā Muḥaqqiq Dāmād, "The Quran and Schools of Islamic Theology and Philosophy" in *The Study Quran: A new translation with notes and commentary*. Seyyed Hossein Nasr e.a. Ed. United States: HarperOne, 2015 (from now on: *SQ*), 1719–1735; Abdul-Raof, *Schools of Qur'anic Exegesis*, 55–83, 163; Al-Maṭrafi, *Al-'aqā'idīyyat wa tafsīr*, 67–74, 605–691; Suleiman A. Mourad, "The Survival Of The Mu'tazila Tradition Of Qur'anic Exegesis In Shī'ī And Sunnī Tafsīr", *Journal Of Qur'anic Studies*, 2010.

them as an acceptable opinion. In the post-classical period we also see the emergence of smaller works which generally summarize the most accepted exegetical positions of the formative and classical period (*al-mukhtaṣarāt*, “summaries”), showing a crystallization of the *tafsīr* genre.²¹ The most famous works of this type are the Mu‘tazilite Abū al-Qāsim al-Zamakhsharī (d. 538/1144)’s *al-Kashāf ‘an ḥaqā’iq al-tanzīl wa ‘uyūn al-aqāwīl fī wujuh al-tā’wīl*, and the Late Ash‘arī scholar ‘Abd Allāh al-Bayḍāwī (d. 685/1286)’s *Anwār al-tanzīl wa āsrār al-tā’wīl*. Both works also became a popular subject of another post-classical genre, the supercommentary tradition (*shurūḥ*, “commentaries”, and *hawāshī*, “marginal or gloss commentaries”).²² These supercommentaries added full explanations to popular exegetical texts (as was done with al-Bayḍāwī’s exegesis) or refutations (as was done with al-Zamakhsharī’s exegesis), but these texts were also used as headers for the supercommentary authors’ own legal or theological discourses.²³ The *tafsīr* tradition was, and is, a direct reflection of the trends emerging in jurisprudence and theology. An accumulative and overarching science, through which different schools and sects could reflect, respond and learn from another. But as our analysis will show, the *tafsīr* tradition also became a repository for positions which are generally not discussed in the official genres they belong too. It therefore not only reflects known theological trends, but is also an important source for disclosing trends which are not apparent in other genres.

1.3. Responsibility and ethics in Islamic theology and jurisprudence

The earliest main theological positions held by the Muslim community were generally simple ethical-monotheistic mirror images of their polytheistic counterparts whereby the early Muslims could adhere to the apparent meaning of key Qur’ān verses: God is one; He is independent and in total control of creation; He has no partners or intermediaries; and He will hold humans accountable for their ethical and creedal violations.²⁴ When it came to more detailed positions it became more difficult to uphold or to determine the apparent meaning, such as: 1) how the seemingly anthropomorphic divine attributes of hands and face were to be understood²⁵; 2) do humans have free will²⁶; 3) whether believers can become unbelievers

²¹ Walid A. Saleh, *The Formation Of The Classical Tafsīr Tradition: The Qur’ān Commentary Of Al-Tha‘labī (D. 427/1035)* (Leiden: Brill, 2004), 14–23; Walid Saleh, “Quranic Commentaries” in *SQ*, 1645–1658.

²² On the supercommentary tradition, see: Eric van Lit, “Commentary And Commentary Tradition: The Basic Terms For Understanding Islamic Intellectual History”, *MIDÉO* 32 (2016): 3–26; Asad Q. Ahmed and Margaret Larkin, “The *Ḥāshiyā* And Islamic Intellectual History”, *Oriens* 41, no. 3–4 (2013): 213–216.

²³ See al-Rāzī, al-Bayḍāwī, and al-Zamakhsharī and their significance for the *tafsīr* genre discussed below.

²⁴ Cf. Q.112:1–4, 6:133, 10:68, 22:64–65, 35:15, 40:48–52 etc. On early Muslim theology, see: Harry Austryn Wolfson, *The Philosophy of the Kalam* (Cambridge, Mass.: Harvard University Press, 1976), 5–6.

²⁵ The most disputed anthropomorphic attributes in the Qur’ān are: God’s hands (*yad*), Q.5:64, 7:57, 36:71, 38:75, 39:67, 48:10, 67:1; God’s shin (*sāq*), Q68:42; and God’s face (*wajh*), Q2:115/272, 28:88, 30:38–39, 55:27, and 76:9. For the different ways these were understood, see: Abdur-Rahman Ibn Yusuf, *Imam Abū Ḥanīfa’s Al-Fiqh Al-Akbar Explained* (London: White Thread Press, 2007), 99–104; Mullā ‘Alī al-Qārī, *Sharḥ kitāb al-fiqh al-akbar* (Beirut: Dār al-Kutub al-‘ilmiyyah, 2007), 62–72; Ibn Abī al-‘Izz, *Commentary On The Creed Of At-Ṭahāwī (Sharḥ Al-‘Aqidah At-Ṭahāwīyyah)* (Riyad: al-Imam Muhammad Ibn Sa‘ud Islamic University, 2000), 147–162.

²⁶ i.e. the question on divine decree (*qadar*) and decision (*qadā’*), and human will (*irāda*) and acquisition (*kash*). For the different ways these were understood, see: Al-Qārī, *Sharḥ*, 29, 75–98; Ibn Abī al-‘Izz, *ibid*, 392–413.

through performing sins, if they go to hell for them, and if so, in what way (i.e. the status and fate of the grave sinner (*fāsiq*)); 4) or if people who died before the prophetic message reached them were responsible for their wrongdoing. Most of these positions were seemingly not resolved in a definitive way by the prophetic teachings, which caused two approaches among the prophetic companions and their successors:

- a) Suspend judgement on these subjects by delegating all interpretive authority back to God (*tafwīd*);
- b) Applying reasoned opinion (*rā'y* or *ijtihād*) to determine acceptable and coherent interpretations.²⁷

Positions 3) and 4) revolved around several main issues:

- * can humans rationally know God and ethics;
- * how are belief and works connected;
- * and when does responsibility (*taklīf*) sets in?

The majority among the Sunnī theologians state that people who died before any prophet or revelation reached them fully (*bulūgh al-da'wa*) to have died on their primordial nature (*fiṭra*)²⁸ and are deemed 'the people of the interval [between prophets] (*ahl al-fatra*)' who are not (fully) responsible for their belief and deeds.²⁹ The early position in the first three centuries *hijri* towards the fate of the *ahl al-fatra* was generally that of either condemnation or applying *tafwīd*.³⁰ But the later position among the Sunnī theologians was based both on scriptural and *ijtihādī* considerations:

"The principle position of the Ash'arī is that whoever dies, and the message [of Islam] has not reached him (*tabluḡuhu al-da'wa*), dies saved. However, the Māturīdī say, whoever dies before he has time to contemplate (*al-tā'mmul*), and does not have belief or disbelief, then no punishment is on him."³¹

This position emerged from two Qur'ān verses which state that {**God holds no one responsible for what is beyond their capability (Q.2:286)**} and {**We do not punish until We have sent a messenger (Q.17:15)**}. The question of course is what is beyond some one's capabilities, and

²⁷ Al-Maṭrafi, *Al-'aqā'idīyyat wa tafsīr*, 97–146, 396–398, 448.

²⁸ On *fiṭra*, see: Frank Griffel, "Al-Ghazālī's Use Of "Original Human Disposition" (*fiṭra*) And Its Background In The Teachings Of Al-Fārābī And Avicenna", *The Muslim World* 102 (2012).

²⁹ On *bulūgh al-da'wa*, *ahl al-fatra*, intercession (*shafā'*), and salvation outside Islam, see: *SQ*, 31–32; Abū al-Thana' Maḥmūd al-Lāmishī, *Kitāb fī uṣūl al-fiqh* (Beirut: Dār al-Gharb al-Islāmī, 1995), 103–104; Mohammad Fadel, "No Salvation outside Islam" Muslim Modernists, Democratic Politics, and Islamic Theological Exclusivism", in *Between Heaven And Hell Islam, Salvation, And The Fate Of Others* (New York: Oxford University Press, 2013); Muḥammad b. Rasūl al-Barzanjī, *Sadād al-dīn wa sadād al-dayn fī ithbāt al-najāt wa al-darajāt li-l-walidayn* (Beirut: Dār al-Kutub al-'ilmiyyah, 2006), 174–194.

³⁰ Ibn Yusuf, *ibid*, 211–212 fn.196.

³¹ Muḥammad Amīn Ibn 'ābidīn, *Radd al-muḥtār 'alā durr al-mukhtār* (Beirut: Dār al-Fikr, 1992), 3:185.

what defines the sending of a messenger? The Māturīdī, who similarly to the Mu‘tazila³², follow Abū Ḥanīfa (d. 150/767) in the opinion that people can know God’s existence by reason. Those people are therefore obliged to inquire about the origins of existence within their mental capabilities (“obligation to inquire (*wujūb al-naẓar*)” or “necessary knowledge (*‘ilm al-ḍarūra*)”).³³ And through the same signs in the world by which humans can interfere God’s existence they can also discern the main differences between good and evil (*al-taḥsīn wa al-taqbīḥ*). The Māturīdī therefore adhere to ethical objectivism³⁴, and hold people responsible for their general beliefs and works apart from revelation (i.e. *taḳlīf ‘aqlī*).³⁵ The founder of their school, Abū Maṣṣūr al-Māturīdī, explains that the messenger in Q.17:15 is preceded by human reason:

”And in the verse is proof that monotheism is required for them by reason (*bi-l-‘aql*). [...] If it was not required, then when messengers are sent to call them towards [monotheism], they would say, ‘Who are you, who sent you to us?’[...] but God from His grace wanted to remove doubts from them, and eliminate any excuse, by sending them a messenger. For there are three causes of knowledge (*asbāb al-‘ilm*): (1.) what they learn through the apparent senses together with intuition, (2.) and some also add understanding through contemplation and reflection (*bi-l-tā’ammul wa-l-naẓar*), (3.) while others do not learn except through [revealed] teachings and warnings.”³⁶

The general position among the early Ash‘arī is that reason can only provide possible knowledge about God and ethics, worldly and eschatological obligation is only acquired through revelation.³⁷ The main Ash‘arī position can therefore be defined as an adherence to ethical voluntarism.³⁸ The later (post-1100) Ash‘arī have a more nuanced position wherein they accept rational ethics, placing worldly ethical obligation on all humans, but retaining the position that eschatological responsibility is only attained through revelation.³⁹ But these

³² On the Mu‘tazila concepts of reason (*‘aql*), intellectual insight (*naẓar*) and necessary knowledge (*‘ilm al-ḍarūra*), see: ‘Abd al-Jabbār, *Sharḥ al-uṣūl al-khamsa* (Cairo: Al-Hay‘at al-Miṣriyyat al-‘āmma li-l-kitāb, 2009), 50–52, 64–76; Mariam al-Attar, *Islamic Ethics: Divine Command Theory In Arabo-Islamic Thought* (Abingdon: Routledge, 2010), 69–80.

³³ Rudolph, *ibid*, 232, 262–268, 274. On “necessary knowledge”, see: Binyamin Abrahamov, “Necessary Knowledge In Islamic Theology”, *British Journal Of Middle Eastern Studies* 20, no. 1 (1993): 20–32.

³⁴ Ethical objectivism is also known as natural law theory or moral realism, on this see: Mark C Murphy, *God And Moral Law: On The Theistic Explanation Of Morality* (Oxford: Oxford University Press, 2011), 69–99.

³⁵ Emon, *Islamic Natural Law Theories*, 45–89; A. Kevin Reinhart, *Before Revelation: The Boundaries Of Muslim Moral Thought* (Albany, NY: State Univ. of New York Press, 1995), 43–56, 79–86; Ahmed Akgündüz, *Introduction To Islamic Law* (Rotterdam: IUR Press, 2010), 216–220; Aḥmad b. Abū Sa‘īd Mullājiyūn al-Ḥanafī, *Nūr al-anwār Sharḥ Risālat Al-Manār* (Karachi: Maktabat al-Bushrā, 2017), 1:146–147/197.

³⁶ Al-Māturīdī, *Tā’wīlāt*, 7:19.

³⁷ Sa‘ad al-Dīn al-Taftāzānī, *Sharḥ al-maqāṣid* (Beirut: ‘Ālam al-Kutub, 1998), 4:282–306; Al-Maṭrafi, *Al-‘aqā’idiyyat wa tafsīr*, 432–435. A similar position is taken by the Athārī, see: Najm al-Dīn al-Tūfi al-Ṣarṣarī, *Al-Ishārāt li-ilāhiyya ilā al-mabāḥith al-uṣūliyya tafsīr al-qur’ān al-‘aẓīm* (Beirut: Dār al-Kutub al-‘ilmiyyah, 2005), 389.

³⁸ Also known as ethical subjectivism or divine command theory, on this see: Murphy, *ibid*, 100–132.

³⁹ Anver Emon labels this semi-moral realism as *soft natural law*. A similar development can also be discerned with the Athārī. An important voluntarist tool to apply this semi-moral realism are the “objectives of the Sharī‘a (*maqāṣid al-sharī‘a*).” Emon, *Islamic Natural Law Theories*, 123–183; Reinhart, *ibid*, 62–76, 87–104; Mariam

opinions first of all center around responsibility in relation to judgement in the hereafter. How is one judged on earth? Here the question on the relation between belief and works comes in to play. Can one be a wrongdoer in relation to God, i.e. an unbeliever or polytheist, and at the same time be a rightdoer in relation to other humans? And could one be a rightdoer in relation to God, i.e. a believer or monotheist, and at the same be a wrongdoer in relation to himself and others, i.e. a sinner and oppressor? It is this latter question which became a central topic in Sunnī theology as the Khawārij and Mu'tazila classified a lapsing believer as a grave sinner (*fāsiq*)⁴⁰ who is doomed in hell for eternity.⁴¹ As a response the Murji'a, Māturīdī, and the Ash'arī rejected the concept that faith, which is located in the heart (*taṣdīq bi-l-qalb*), can be annihilated by works. The Mu'tazila adhered to universal rational knowledge of belief and ethics, but because they emphasized monotheism and the collapse of belief and works, it also meant a collapse of worldly and eschatological punishment. Unbelief becomes the main cause of divine wrath both in the hereafter and here on earth.⁴² For the group which became known as the people of the prophetic tradition and community (*Ahl al-sunna wa-l-jamā'*, i.e. Sunnī orthodox), encompassing Māturīdī, Ash'arī, and moderate Atharī, a clear separation between belief (*īmān*) and works (*a'māl*) was upheld.⁴³ And it is this separation which also affects their understanding if unbelievers, despite their unbelief, can perform ethical works. If faith is not affected by works, then works are not affected by faith. Thereby also possibly separating worldly and eschatological punishment. The Mu'tazila view knowledge of monotheism (*tawḥīd*) as primary to knowledge of ethics, as ethics are derived from the knowledge of the just attributes of God, therefore a clouding in belief necessarily means a clouding in ethics.⁴⁴ For the Sunnī orthodox, because there is a separation between belief and works, there is only a possible and not a necessary relation between them. But in principle both groups adhered to soft or hard forms of ethical objectivism, whereby ethics are universally accessible through reason and *fiṭra*, with or without faith in somebody's heart.⁴⁵ Unbelief can **{seal the heart**

al-Attar, "Meta-Ethics: A Quest For An Epistemological Basis Of Morality In Classical Islamic Thought", *Journal Of Islamic Ethics* 1, no. 1-2 (2017), 39–47; Rami Koujah, "Divine Purposiveness And Its Implications In Legal Theory: The Interplay Of Kalām And Uṣūl Al-Fiqh", *Islamic Law And Society* 24, no. 3 (2017): 171-210.

⁴⁰ For a full discussion on *fāsiq* among the different schools of thought, see: Toshihiko Izutsu, *The Concept Of Belief In Islamic Theology: A Semantic Analysis of Īmān and Islām* (Kuala Lumpur: Islamic Book Trust, 2006), 43–70.

⁴¹ 'Abd al-Jabbār, *Sharḥ al-uṣūl al-khamsa*, 137–141; Al-Attar, *ibid*, 60–61; Ann K. S Lambton, *State and Government in Medieval Islam* (London: RoutledgeCurzon, 2014), 22–24.

⁴² Cf. Sophia Vasalou, *Moral Agents And Their Deserts: The Character Of Mu'tazilite Ethics* (Princeton University Press, 2008). The Shī'a and Ibādī (sub-sect of the Khawārij) adopted the majority of the positions taken by the Mu'tazila (and used Mu'tazila exegesis as templates for their own *tafsīr* works), see: Abdul-Raof, *Theological approaches to Qur'anic exegesis*, 37–53.

⁴³ Aḥmad Farīd al-Mazīdī, *Shurūḥ wa ḥawāshī al-'aḳā'id al-naṣafiyya li-ahl al-sunna wa-l-jamā'ā al-ash'ira wa-l-māturīdiyya* (Beirut: Dār al-Kutub al-'ilmiyyah, 2013), 5:3–65; Wilferd Madelung, "Early Sunni Doctrine Concerning Faith As Reflected In The 'Kitāb Al-Iman' Of Abu 'Ubayd Al-Qasim B. Sallam (D. 224/839)", *Studia Islamica*, no. 32 (1970): 233–254.

⁴⁴ 'Abd al-Jabbār, *Sharḥ al-uṣūl al-khamsa*, 64; Reinhart, *ibid*, 139–141.

⁴⁵ Maha Elkaisy-Friemuth, *God And Humans In Islamic Thought* (London: Routledge, 2011), 52–71, 132–133; Aḥmad al-Raysūnī, *Imam Al-Shatibi's Theory Of The Higher Objectives And Intentions Of Islamic Law* (London: International Institute of Islamic Thought, 2005), 232–250. Al-Raysūnī and Ibn 'Ashūr (d. 1973) both remarked that the Ash'arī hold contradicting positions by being voluntarist in their theology, but objectivist in their jurisprudence. The majority of jurists and theologians adhere to the idea that God's commands were revealed to pursue human interest (*maṣlaḥa*), and that these can be reasoned, meaning that the overall majority of Sunnī

(Q.2:7, 4:155, 6:46, 7:100/101, 9:87, 10:74, 16:108, 30:59, 42:24, 45:23, 47:16, 63:3)}, but does not take away somebody's free will in the matter of faith or ethics.⁴⁶ Confronted with the belief in rational access to ethics, and that some groups follow earlier revealed religions, Islamic philosophy of law (*uṣūl al-fiqh*) developed the hypothetical question pertaining to “the rulings of things before the advent of revelation (*aḥkām al-ashiyā' qabla majī' al-sama'*)” to discuss the minimal ethical and legal responsibilities Muslims can expect from non-Muslims when it comes to treaties, trade, and social cohesion and the rule of law.⁴⁷ This defined what is known by reason alone (general belief in a creator, upholding justice (*'adl*), goodness (*iḥsān*) and equity (*inṣāf*), and eradication of injustice (*maḥwa al-zulm*)⁴⁸), and what is part of all revelations (specific belief in God, specific requirements for worship, belief in judgement day and the hereafter, pursuing human interests (*maṣāliḥ*), guarding the five universals/objectives of the revealed law (*kulliyāt/maqāṣid al-sharī'a*)⁴⁹, obligation of vows, and punishments for murder, fornication, and theft).⁵⁰ The Ḥanafī scholar Abū al-Thaṇā Maḥmūd al-Lāmishī (d. 539/1144) discusses if non-Muslims are responsible:

“[The non-Muslims] are addressed in the inviolable matters (*al-ḥurumāt*)⁵¹ and social affairs (*al-mu'āmalāt*) apart from the matters of worship (*al-'ibādāt*), because the people of worship are the believers apart from the unbelievers. As for the unbelievers, they are a people with legal capacity (*ahlun*)⁵² in [upholding and receiving] the permanent inviolability (*li-thubūt al-ḥurma*) in rights (*ḥaqqahu*) and social affairs.”⁵³

Non-Muslims are in this world accountable for their ethical works, but their failure to fulfill the obligation of worship will be dealt with in the hereafter.⁵⁴ This ethical framework developed by Sunnī theology and jurisprudence was also expressed in a sophisticated right-claims regime whereby rights could either be claimed by the Creator or the created.

Both the Qur'ān and prophetic traditions promote a concept of rights (*ḥaqq*), which discuss right-claims by God towards man, man towards God, and man towards man.⁵⁵ The later juristic

scholars adhere to some form of ethical objectivism. Al-Raysūnī, 232–233; Ṭahir Ibn 'Āshūr, *Tafsīr al-taḥrīr wa al-tanwīr* (Tunis: Dār Sahnun li-l-Nuṣhr wa-l-Tawzī', n.d.), 1:379–381.

⁴⁶ Götz, *ibid*, 204–208; Al-Mazīdī, *Shurūḥ wa ḥawāshī*, 1:132–133.

⁴⁷ Reinhart, *ibid*, 3–9.

⁴⁸ Al-Lāmishī, *Kitāb*, 66; Reinhart, *ibid*, 19; Anver M Emon, *Religious Pluralism And Islamic Law* (Oxford: Oxford Univ. Press, 2014), 79–86.

⁴⁹ On *kulliyāt/maqāṣid al-sharī'a*, see: Al-Zuhaylī, *Uṣūl*, 2:307–323.

⁵⁰ Emon, *ibid*, 106–108.

⁵¹ These include murder (*qatl*), injuring others (*jurḥ*), and adultery (*zinā*). Sa'ad al-Dīn al-Taftāzānī, *Sharḥ al-talwīḥ 'alā al-tawḍīḥ li-matn al-tanqīḥ* (Beirut: Dār al-Kutub al-'ilmiyyah, 2013), 2:423–424.

⁵² The juristic definition of *ahliyya* has many similarities to the term *dhimma* and refers to “competent humans who have an obligation towards legal right-claims (*li-wujūb al-ḥuqūq al-mashrū'a*), [whereby the rights-claim are made] by them or [are claimed by others] upon them.” 'Abd al-Karīm b. 'Alī al-Namla, *Al-Shāmil fī ḥudūd ta'rīfāt muṣṭalahāt 'ilm uṣūl al-fiqh* (Riyad: Maktabat al-Rushd, 2009), 1:208. See also below.

⁵³ Al-Lāmishī, *Kitāb*, 105.

⁵⁴ Mullājīyūn al-Ḥanafī, *Nūr al-anwār*, 1:194–196; Al-Taftāzānī, *Sharḥ al-talwīḥ*, 1:402–408; Nyazee, *Islamic Legal Maxims*, 108–109.

⁵⁵ *Ḥaqq* is used as rights-claim towards God (Q.22:74/78, 33:37, 39:67) or towards fellow humans (Q.17:26, 30:38). For all occurrences in the Qur'ān of *ḥaqq* and its derivatives, see: 'Abd al-Bāqī, *Al-mu'jam al-muhfaris*, 209–212. For instances of *ḥaqq* within the major *ḥadīth* collections, see: A.J. Wensinck, *Al-mu'jam al-muhfaris li-alfāz al-ḥadīth al-nabawiyya* (Leiden: Brill, 1936), 1:484–487.

tradition, in coherence to the ethical framework it developed, divided these rights in divine rights (*ḥaqq/ḥuqūq Allāh*), and human rights (*ḥaqq/ḥuqūq al-ibād/nās/adamiyya*), whereby the latter was sometimes subsumed under general rights of all creation (*ḥaqq/ḥuqūq al-makhlūqa*).⁵⁶ But it took several centuries before these terms and concepts developed into a systematic hierarchical scheme. This scheme was constructed based on ontological and anthropological assumptions on what constitutes private and public interest (*maṣlaḥa*/pl. *maṣāliḥ*).⁵⁷ Although there were some clear scriptural designations of what constitutes a divine or human right, the overall content and structure of the *ḥuqūq* scheme was constructed through rational and dynamic intra-juristic discourses and served as extra-scriptural indicators for determining *maṣlaḥa*.⁵⁸ Divine rights came to represent God's personal rights in relation to creed and worship (*ʿibādāt*) through which God makes a subjective claim on mankind to show "thankfulness to the benefactor (*shukr al-mun'im*)" as He created them and endowed them with reason and benefits.⁵⁹ These subjective claims are based on ritual obedience (*al-ta'būd*) which can not be waived (*lā isqāt*) or their revealed prescripts changed (i.e. five prayers remain five in any situation⁶⁰), their fulfillment acquiring *maṣlaḥa* in the hereafter.⁶¹ Next to these subjective claims there is a second category of divine rights which represent public interests which cannot be claimed by anyone in particular, rather they are one-sided public demands on the individual, as they are meant to rid the world of evil and corruption (*ikhḷā' al-ʿālām ʿan al-fasād*).⁶² Here God is used in an objective fashion to represent His creation in their general rights (*ḥaqq al-ʿāmm*) and interests (*maṣāliḥ/naḥa' al-ʿāmm*) such as in matters of penal law⁶³, public safety and order, taking care of the destitute, trust funds (*awqāf*), providing witness in courts, and fulfilling oaths, which all preserve the human necessities (which are subsumed under the universals/objectives of Islamic law, *kulliyāt/maqāṣid al-sharīʿa*).⁶⁴ Human rights are

⁵⁶ Human and creational rights were also generally subsumed under the term *ḥuqūq al-ʿibād*, rights of the servant, whereby servant here was understood as referring to the totality of mankind and creation, as all serve and worship Him (Q.17:44, 22:18, 24:41, 30:26, 51:56).

⁵⁷ Anver M Emon, "Huqūq Allāh And Huqūq Al-ʿibād: A Legal Heuristic For A Natural Rights Scheme", *Islamic Law And Society* 13, no. 3 (2006), 326–328. For discussions on *maṣlaḥa*, see: Felicitas Opwis, *Maṣlaḥa And The Purpose Of The Law* (Leiden: Brill, 2010).

⁵⁸ Hina Azam, *Sexual Violation In Islamic Law: Substance, Evidence, And Procedure* (Cambridge: Cambridge University Press, 2015), 96–97; Emon, *Natural Rights*, 355–365.

⁵⁹ Vasalou, *Moral Agents*, 46; Al-Zuhaylī, *Uṣūl*, 1:154–155; Al-Taftāzānī, *Sharḥ al-talwīḥ*, 2:316–317.

⁶⁰ The revealed prescripts revolve around the five pillars: testifying to God's monotheism and Muḥammad's messengership (*shahāda*), obligatory prayers (*ṣalāt*), alms tax (*zakāt*), fasting during Ramaḍān (*ṣiyām*), and pilgrimage (*ḥajj*). But within these revealed prescripts are exceptions incorporated to protect human welfare, such as shortening the prayer during travel or delaying or compensating (*kafāra*) fasting due to travel or sickness. These exceptions are used as proof that human rights in general are hierarchically dominant over divine rights, and that eschatological *maṣlaḥa* is an extension of worldly *maṣlaḥa*, and rarely its replacement. Nyazee, *Islamic Legal Maxims*, 225.

⁶¹ Muhammad Khalid Masud, *Islamic Legal Philosophy: A Study Of Abū Ishāq Al-Shātibī's Life And Thought* (Islamabad: Islamic Research Institute, 1977), 275.

⁶² Al-Zuhaylī, *Uṣūl*, 1:157; Mullājiyūn al-Ḥanafī, *Nūr al-anwār*, 2:123; Emon, *Legal Heuristic*, 339; Hallaq, "God Cannot Be Harmed", 8.

⁶³ On Islamic penal law and retaliation, see: Intisar A. Rabb, *Doubt In Islamic Law: A History Of Legal Maxims, Interpretation, And Islamic Criminal Law* (New York: Cambridge University Press, 2015), 29–39; Akgündüz, *Islamic Public Law* (Rotterdam: IUR Press, 2011), 303–416; Al-Zuhaylī, *Al-fiqh*, 5:711–815, 6:19–338.

⁶⁴ Akgündüz, *Islamic Public Law*, 23–25; Mullājiyūn al-Ḥanafī, *Nūr al-anwār*, 2:122–128; Hallaq, "God Cannot Be Harmed", 9–10; Al-Zuhaylī, *Al-fiqh*, 9:22–27; Al-Zuhaylī, *Uṣūl*, 1:154–157; Al-Taftāzānī, *Sharḥ al-talwīḥ*, 2:318–322.

subjective private claims (*ḥaqq khāṣṣ*) preserving and representing individual interests (*maṣlaḥa fard/khāṣṣa*), such as rights of inviolability/presumption of innocence (*‘iṣma*), freedom (*ḥurriya*), ownership (*milkiya*), and wealth (*māl*). Human rights are technically unlimited as they are defined as “every rights-claim other than divine rights-claims”.⁶⁵ Human rights were seen as ontologically established within every born human, whether they are a child or insane, representing a natural rights scheme grounded within the divine covenant (*‘ahd*)⁶⁶, as expressed by the Ḥanafīte Abū Bakr al-Sarakhsī (490/1097):

“As God the Exalted created humanity to carry out His trusts (*amānatahu*)⁶⁷, He dignified them with reason (*bi-l-‘aql*) and legal personhood (*al-dhimma*) in order to be a people with legal capacity (*ahlān*) for the necessary rights God the Exalted has placed over them. Then He established for them inviolability (*al-‘iṣma*), freedom (*al-ḥurriya*), and property (*al-mālakiya*) to continue carrying out their trusts. Hence, this [right of] freedom, sanctity, and property are granted to a person at the time they are born (*hīn yuwlad*). Those capable of discernment (*mayyaz*) and those not capable of discernment are equal (*sawā*) in this regard, so this applicable legal personality for the necessary rights (*li-wujūb al-ḥuqūq*) is established at birth whether they are capable of discernment or not capable of discernment.”⁶⁸

The Islamic rights scheme envisioned natural (and revealed) rights and duties as grounded in a human ontology in which the human is rational, so he can know his rights and duties, and a legal personality (*ahliyya/dhimma*), so he can claim and fulfill his rights and duties.⁶⁹ This deontological human ontology, this *humanum*⁷⁰, was seen as universal, providing natural rights to all humans, whatever their age, background or mental state, whereby all humans (including unborn) are “people of necessity [in rights] (*ahliyyat al-wujūb*)”. And obligating all mature sane humans to fulfill those rights i.e., “people of fulfillment [of rights] (*ahliyyat al-addā*)”.⁷¹ As within such a safeguarding context people will have the chance to know and pursue God’s personal rights. The non-fulfillment or violation of divine and human rights constitute an evil

⁶⁵ Al-Zuhaylī, *Uṣūl*, 1:157; Mullājīyūn al-Ḥanafī, *Nūr al-anwār*, 2:123–125/128; Al-Taftāzānī, *Sharḥ al-talwīḥ*, 2:323/337.

⁶⁶ On Islamic covenant theology, see: Tariq Jaffer, “Is There Covenant Theology In Islam?”, in *Islamic Studies Today: Essays In Honor Of Andrew Rippin* (Leiden: Brill, 2017), 98–121.

⁶⁷ Referring to the trusts mentioned in Q.33:72, which are understood to be the fulfillment of divine and human rights. Cf. Al-Qūnawī, *Ḥāshiyat Al-Qūnawī*, 15:430–435; *SQ*, 1040–1041.

⁶⁸ Abū Bakr al-Sarakhsī, *Uṣūl al-Sarakhsī* (Beirut: Dār al-Kutub al-‘ilmiyyah, 2015), 2:334.

⁶⁹ For similar statements on this Islamic rights scheme, see: Al-Taftāzānī, *Sharḥ al-talwīḥ*, 2:337; Recep Senturk, “Human Rights In Islamic Jurisprudence: Why Should All Human Beings Be Inviolable?”, in *The Future Of Religious Freedom: Global Challenges* (New York: Oxford University Press, 2013), 290–311; Ruud Peters, “Islamic Law And Human Rights: A Contribution To An Ongoing Debate”, *Islam And Christian-Muslim Relations* 10, no. 1 (1999): 5–14; Nyazee, *Islamic Legal Maxims*, 221–233.

⁷⁰ *Humanum* is a term, especially prominent in modern Catholic theology, to define the human from a deontological human rights perspective and is therefore, in my point of view, a fitting synonym for *ahliyya/dhimma*. Cf. David M. O’Leary, *A Study Of Josef Fuchs’ Writings On Human Nature And Morality* (Lanham, MD: University Press of America, 2005), 49, 53.

⁷¹ For a full overview of Fiqhi discourses on *ahliyya/dhimma*, see: Al-Namla, *Al-Shāmil*, 1:208–220; Al-Zuhaylī, *Uṣūl*, 1:164–168; *EI3*, Oussama Arabi, “Legal Capacity”; Ahmed Akgündüz, *Islamic Private Law* (Rotterdam: IUR Press, 2017), 52–82.

(*qabīḥ*) which is either transitive or intransitive.⁷² When it is a transitive evil it hurts others (violates *ḥaqq al-ʿibād/ʿāmm*, i.e. horizontal *ẓulm*), and therefore a public or private claim arises which needs to be fulfilled by punishment and/or compensation in this world (and when not fulfilled, in the next world). An intransitive evil refers to a sin which only hurts oneself (private sin, *dhanb khāṣṣ*) or betrays God in matters of worship (unbelief/idolatry, i.e. vertical *ẓulm*), which generates divine claims dealt with in the hereafter. Sometimes public and private claims are both generated by a certain crime and can therefore become intermingled/shared (*mā ijtīm ʿā fīhi/mushtarak*) and even conflicting (*khilāf*), such as the question if the stolen goods or blood money are due above any penal punishment. Each school developed its own reasoning and hierarchy in when both claims are fulfilled, or when one claim overrules (*ghālib*) the other.⁷³

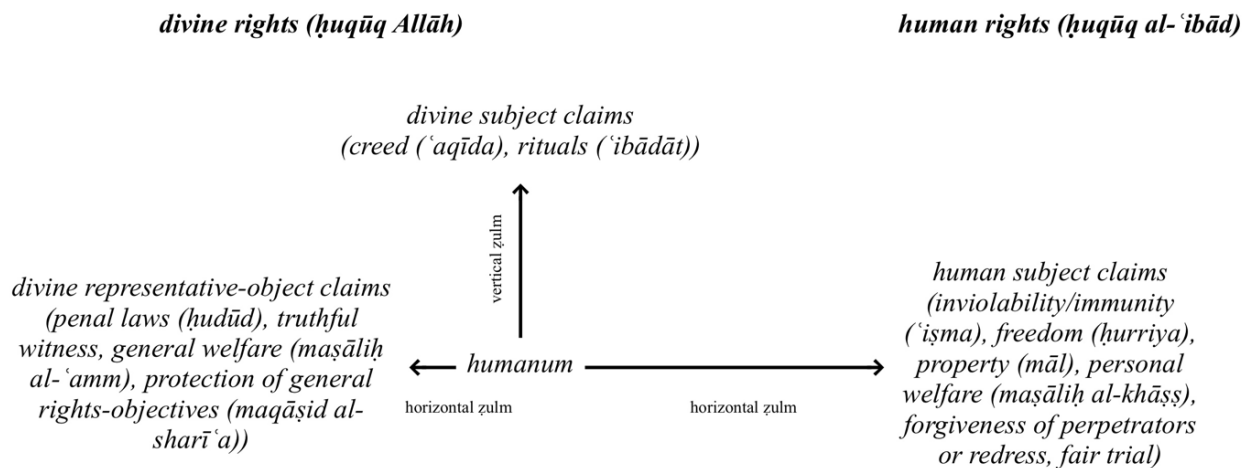


Figure 2. Sunnī rights discourse (*ḥuqūq scheme*)

The *ḥuqūq* scheme was known across the schools and sects in Islam, being present in multiple pre-classical treatises as a term or subject. The dominant subjects, which were linked to either divine or human rights, concerned juristic commands (*aḥkām*) such as penal law and *furūʿ* subjects such as inheritance, property, and marriage, and therefore had a logical trajectory for it to occur in *tafsīr* works when it came to verses concerning these subjects. And with the further development of the *ḥuqūq* scheme it becomes directly discernible within the *tafsīr* tradition, as Qurʾān verses provide plentiful resources to project the scheme on. One of the distinct trends of the *ḥuqūq* scheme within the Sunnī tradition is a clear hierarchy between divine and human rights which is directly grounded in Islamic monotheism. The fact that God is self sufficient (*al-ghanī*) means He is therefore transcendent above any need or want. This applies both to His subjective and representative rights, as they are called divine rights because the “initiative [for commanding these rights] comes from Him [which would imply] that God is benefitted by it, and the condition is that God is needless (*mustaghan*) from that.”⁷⁴ So although divine rights in all its aspects served general benefit, there was a reluctance to apply maximum penal

⁷² Vasalou, *Moral Agents*, 83–84.

⁷³ Emon, *Legal Heuristic*, 329, 334–336, 342–344, 361–363, 367–381.

⁷⁴ Muḥammad Ḥayāt al-Sanbihulī (d. 1978) in his gloss (*ḥāshiya al-asrār*) on the *Nūr al-anwār*. *Ibid.*

law.⁷⁵ Neither fulfillment or non-fulfillment does not benefit or harm God⁷⁶, therefore divine rights are based on leniency (*al-musāhala*).⁷⁷ This of course is not the same for human rights, on which human existence depend for survival and prosperity, which were therefore deemed as necessary (*wujūb*), and its presence in the world to be viewed as that of scarcity (*shahh*), paucity (*dayq*), and that they are easily undermined (*ḍanna*).⁷⁸ It is this difference between creator and creation which was also projected unto the claims and duties linked to each ontology, creating a hierarchy of no-need (God) versus need (humanity) within the Islamic *ḥuqūq* scheme. As expressed by al-Rāzī in his commentary on Q.1:4:

“And it is known that the obligatory duties fall into two categories: divine rights and human rights. Divine rights are based on liberality (*al-musāmaḥa*) because the Exalted is needless (*ghanī*) of creation (*al-‘ālamīn*), and human rights are those which necessitates reserved caution concerning them (*yajīb al-iḥtirāz ‘anhā*).”⁷⁹

And it is exactly this hierarchy which became applied in the commentaries on Q.11:117, whereby each mature sane human can be held responsible for violating universal ethics. This universal responsibility concerning ethics shows that the separation of belief and works was also applied to non-Muslims and has implications not only for the time after the sending of the prophet Muḥammad, but also raises questions on the times before it. Did God destroy the peoples mentioned in the *qīṣaṣ al-anbiyā’* for their idolatry and unbelief, and/or injustice towards other humans? Within the *tafsīr* tradition this question developed two different answers, expressing two different theological trends.

1.4. Prophetic tales (*qīṣaṣ al-anbiyā’*) and divine punishment

Of the more than 6000 verses in the Qur’ān, around 1400 of them have prophetic tales (*qīṣaṣ al-anbiyā’*) or general tales (*qāṣaṣ al-Qur’ān*) as its subject.⁸⁰ The verses itself only provide snapshots of what were considered larger narratives by Late-Antique audiences. These tales were central both in Islamic theology as in general Muslim culture, as shown by it having its own specific literary genre. This genre mostly focuses on what were deemed the punishment-narratives, the fate of earlier peoples in relation to their works and their unbelief in the prophets, and wherein Qur’ān verses were only one sources among many others, of which the majority were of non-Islamic origins.⁸¹ The majority of the Qur’ān verses discussing the punishment-

⁷⁵ Rabb, *ibid*, 38; Al-Zuḥaylī, *Al-fiqh*, 9:911–913; Hallaq, “God Cannot Be Harmed”, 11–12.

⁷⁶ Hallaq, “God Cannot Be Harmed”, 9.

⁷⁷ Al-Taftāzānī, *Sharḥ al-talwīḥ*, 2:371.

⁷⁸ Emon, *Legal Heuristic*, 378; Al-Taftāzānī, *Sharḥ al-talwīḥ*, 1:421; Fakhr al-Dīn al-Rāzī, *Al-Maḥṣūl fī ‘ilm uṣūl al-fiqh* (Damascus: Mussassat al-Risāla, 2012), 2:244.

⁷⁹ Al-Rāzī, *al-Tafsīr al-kabīr*, 1:192.

⁸⁰ David Marshall, *God, Muhammad And The Believers: A Qur’anic Study* (Richmond: Curzon, 1999), 31.

⁸¹ Aḥmad ibn Muḥammad Tha’labī and William M. Brinner, ‘*Arā’is al-Majālis fī Qīṣaṣ Al-Anbiyā’, or “Lives of the Prophets”* (Leiden: Brill, 2002), xi–xxx; Muḥammad ibn ‘Abd Allāh Kisā’ī and W. M. Thackston, *The Tales Of The Prophets Of Al-Kisa’i* (Boston: Twayne, 1978), xii–xxxiv; Roberto Tottoli, *Biblical Prophets in the Qur’ān and Muslim Literature* (London: Routledge, 2009), 165–196.

narratives are present in Qur'ānic chapters which are understood to be revealed in the late Meccan period.⁸² In this period Muḥammad and his followers experienced severe persecution and expulsion by their fellow Meccans, whereby these prophetic tales served as warnings to the Meccans and as solemn towards the oppressed believers.⁸³ But these narratives are not only to be understood as providing sacred history, for the Islamic tradition they also provide an anthropology. Our question is what type of human anthropology and behaviour causes divine worldly punishment? According to David Marshall and Robert Tottoli the punishment-narratives provide an exposition of God's response to unbelief.⁸⁴ This assumption is logical as the main shared message between all these prophets is that they proclaimed monotheism (Q.7:59, 21:25 etc.), and that God only punishes after sending a messenger (Q.6:131, 17:15, 28:59). A similar stance is discernible among several, mainly early, exegetes of the Qur'ān, especially at key verses discussing the punishment-narratives, such as Q.6:131, 8:54, 11:100-117, 17:15-16/56-59, 18:59, 28:59, 29:31/40, and 46:25-27. An example of early exegesis on verse Q.11:117 is that by Muqātil:

“{**And God does not destroy**} meaning punish the communities in this world (*al-dunyā*) {**unjustly** (*bi-zulm*)}, meaning, [He would not destroy them] without any sin (*‘alā ghayri dhanb*), meaning, the communities which God the Exalted has mentioned in this chapter [i.e. sūrat al-Hud] which God had punished, and they were the people of Noah, and [the people of] ‘Ād, Thamūd, the people of Abraham, the people of Lot, and the people of Shu‘ayb. Then He says {**people who are rightdoers**} meaning believers. He is saying: if they were believers they would not have been destroyed.”⁸⁵

Here Muqātil repeats his exegesis on verse Q.6:131 which has an almost similar meaning. And the proposed interpretation is clear, God does not destroy them without them having performed any sin, which includes their unbelief. A similar exegesis is provided by the Kharājite scholar Hūd Muḥakkam b. Hūd al-Hawārī (d. 220/835?)⁸⁶ in which he states:

“[Q.11:117] is as His saying [Q.29:40], meaning [they are destroyed] because of their idolatry, and their belying of their messengers. And if they believed they would not have been destroyed as a punishment.”⁸⁷

There is also another interpretation on Q.6:131 related on the authority of Muqātil, which is not related in his own exegesis, but in the work by Abū al-Ḥasan al-Māwardī (d. 450/1058)⁸⁸:

⁸² *EQ*, David Marshall, “Punishment stories”.

⁸³ Marshall, *ibid*, 52–78; Tottoli, *ibid*, 4–7. As Q.11:120 states: {**All that We relate to you of the accounts of the messengers is to strengthen your heart...**}.

⁸⁴ Marshall, *ibid*, 65; Tottoli, *ibid*, 6.

⁸⁵ Muqātil b. Sulaymān, *Tafsīr Muqātil b. Sulaymān* (Beirut: Dār al-Kutub al-‘ilmiyyah, 2003), 2:135.

⁸⁶ On al-Hawārī, see: Al-Maṭrafi, *Al-‘aqā’idiyyat wa tafsīr*, 656–658; Nuwayhid, *Mu’jam al-mufasssīrīn*, 713.

⁸⁷ Hūd Muḥakkam b. Hūd al-Hawārī, *Tafsīr kitāb Allāh al-‘azīz* (Beirut: Dār al-Gharab al-Islām, 1990), 2:253.

⁸⁸ On al-Māwardī, see: *EI2*, C. Brockelmann, “Al-Māwardī”; Ḥaqqī, *‘ulūm al-qur’ān*, 1:307–330. This exegesis belongs to the traditional exegesis (*tafsīr bi-l-mathūr*) genre and leans heavily on the famous commentary by al-Ṭabarī, but this interpretation by Muqātil is only present in al-Māwardī and not in al-Ṭabarī.

“{**And your Lord does not destroy the communities with injustice** (*bi-zulm*)} coming from Him (*minhu*), because it being a true desert (*bi-ḥaqq*) they make the destruction necessary (*istawjabū*) by it [being deserved]. And this is the meaning stated by Muqātil.”⁸⁹

Here an emphasis is laid on God, as the agent (*al-fā'il*) of destruction, being free of any injustice on His part. Similar exegesis is proposed by early scholars, especially among the Mu'tazila, such as Abū 'Alī al-Jubā'ī (d. 303/916).⁹⁰ God being transcendent of any injustice is a central position in Islamic thought and emphasized multiple times in the Qur'ān itself (Q.3:117, 4:40, 10:44, 16:33, 18:49). The destruction is brought upon by the people themselves due to their own sins, they have done injustice to themselves (*zalamū anfusahum* Q.3:117/135, 4:64, 9:70, 11:101, 14:45, 30:9, 34:19). And with each prophetic tale, apart from their idolatry and rejection of the messengers, specific sins (*bi-dhanb* Q.6:6, 29:40) are mentioned such as the oppression and persecution of the people of Israel by Pharaoh (Q.8:54), the killing of the camel by the Thamūd (Q.11:65-66), and the violation of rights by the 'Ād (Q.41:15).⁹¹ So there are three possible violations by the people mentioned in the punishment-narratives:

- * idolatry (*shirk*)
- * giving the lie to (*takdhib*) and/or unbelief/rejection (*kufīr*) in the messengers/prophets
- * ethical violations towards other humans (*zulm*)

Do all three violations need to be present in a people for them to be punished, and if not, which violations trigger divine wrath and which are given respite? The answers to these questions revolve around our earlier analysis on the separation between belief and works: can reason create responsibility, and can a hierarchy of values can be discerned through these? The Qur'ān itself mentions idolatry, murder, and adultery as belonging to the major sins deserving punishment (Q.25:68) and singles out idolatry as the only unforgivable sin (Q.4:48). But there are multiple verses which mention both God providing respite until the day of judgement and God desiring religious pluralism on earth (Q.2:213, 5:48, 10:19, 11:118, 16:93, 42:8). As is stated in Q.11:57 human unbelief cannot hurt God. God is self-sufficient and free from want (*al-ghanī* Q.3:97, 4:131/170, 6:133, 14:8, 27:40, 31:12) and in no need of His creation. As Muqātil comments at Q.6:133 “{**and your Lord is self-sufficient**} of the worship of His creation.”⁹² A point which Marshall also emphasizes:

⁸⁹ Abī al-Ḥassan al-Māwardī, *Al-nukat wa al-'uyūn tafsīr al-Māwardī* (Beirut: Dār al-Kutub al-'ilmiyyah, 2012), 2:172.

⁹⁰ Abū 'Alī al-Jubā'ī, *Tafsīr Abū 'alī al-Jubā'ī* (Beirut: Dār al-Kutub al-'ilmiyyah, 2007), 229; Al-Ṭabarsī, *Al-tibyān*, 4:284–285. On al-Jubā'ī, see: Al-Banjābī, *Ṭabaqāt al-mufasssīrīn*, 119; Nuwayhid, *Mu'jam al-mufasssīrīn*, 570.

⁹¹ For overviews of the prophetic tales within the Qur'ān, see: Tottoli, *ibid*, 17–70; Marshall, *ibid*, 39–153; Al-Qaṭṭān, *Mabāḥith*, 279–284; Ṣalāḥ al-Khālīdī, *Al-qaṣaṣ al-qur'āniyyu 'arḍu wa qā'i' wa taḥlīl aḥdath* (Damascus: Dār al-Qalam, 1998), 1:77ff.

⁹² Muqātil, *Tafsīr*, 1:371. This is the dominant interpretation throughout the Sunnī *tafsīr* tradition on this part of this verse.

“[T]he God of the Qur’an is unaffected by sin and unbelief and there is a serene simplicity in his triumph over them. A necessary dimension of this simplicity is the absence of any sense of tragedy in God’s experience of the world. This absence is reflected succinctly but powerfully in a group of passages of which the following is typical: ‘And Moses said, “If you disbelieve, you and everyone on the earth, yet assuredly God is self-sufficient, laudable”’[...] The Arabic word translated ‘self-sufficient’ here is *ghanī*, literally ‘rich’, but suggestive of the ability to do without others [...] The implication here is that in this encounter with unbelief, as in all other matters, the divine omnipotence does not experience any problem, and certainly no occasion for lamentation.”⁹³

We can therefore conclude that idolatry and unbelief by itself are not the main causes for divine worldly punishment. But what after a prophet or messenger is sent, do their warnings and knowledge make one acquire a responsibility (*taklīf*) which deserves both worldly and eschatological punishment? According to al-Hawārī, in his exegesis on Q.6:131, rejection of the messengers deserves worldly punishment: “[God] destroyed all of the preceding nations when they belied their messengers.”⁹⁴ Muqātil has a similar interpretation. And this is seemingly the implied meaning of the verse when it states **{your Lord does not destroy the communities unjustly while the people were heedless}**, which presents a similar argument as Q.17:15 and Q.28:59.⁹⁵ But these verses were generally understood as promising divine respite (*imhāl*) until the day of judgement, as the prophet Muḥammad was sent to the whole of mankind (Q.34:28) from his time until the end of times. Also, non-Muslims were accepted as citizens within the Islamic empire and were deemed as communities with rights⁹⁶, and were clearly exposed to the message of Islam (fulfilling the requirements of *bulūgh al-da‘wa*), whereby several of them even made treaties with Muḥammad himself.⁹⁷ So idolatry and unbelief were not only tolerated, their existence was divinely mandated and protected. Taking these realities, together with the concept that divine practice (*sunnat Allāh*) concerning these matters do not change (Q.33:38/62, 35:43, 40:85, 48:23), resulted in a belief that the punishment for idolatry and unbelief were deemed purely eschatological. This leaves us then with connecting the underlying cause of the punishment-narratives to ethical violations. If violations in faith on earth are ignored, but violations in ethics are not, then we can determine both the separation and hierarchical difference between belief and works. And it is this interpretation which is slowly adopted in the exegesis on verses as Q.6:131 and Q.11:117. These verses were seen, by the overall exegetical tradition, as the key verses discussing the causes behind divine worldly

⁹³ Marshall, *ibid*, 87–88.

⁹⁴ Al-Hawārī, *Tafsīr*, 1:561.

⁹⁵ Q.28:59 is generally understood to be directly referring to Mecca **{mother of the cities}** after the sending of Muḥammad **{messenger}** and the Qur’an **{verses recited to them}**, whereby the latter part of the verse **{He will not destroy the communities except when its people do wrong}** referred to their totality of belying of Muḥammad and the persecution of the believers. The verse was therefore mostly understood through the biography of the prophet, something we do not see with Q.11:117. Cf. Muqātil, *Tafsīr*, 2:502; SQ, 959.

⁹⁶ Cf. Labeed Ahmed Bsoul, *International Treaties (Mu‘āhadāt) In Islam: Theory And Practice In The Light Of Islamic International Law (Siyar) According To Orthodox Schools* (Lanham: University Press of America, 2008), 52–67, 132–136. Emon, *Religious Pluralism*, 97–105.

⁹⁷ Cf. John Andrew Morrow, *The Covenants Of The Prophet Muhammad With The Christians Of The World* (USA: Angelico Press, 2013).

punishment. This development within the exegetical tradition reflects the development of the foundational principles adopted and defended by what became known as the people of the prophetic tradition and community (*Ahl al-sunna wa-l-jamāʿ*). As can be seen in the exegesis on Q.11:117 by the early grammarian Yaḥyā b. Ziyād al-Farrāʾ (d. 207/822)⁹⁸:

“It is saying: It is not that He destroys them while they are rightdoers, because that would be unjust (*ẓulm*). And it could [also] be saying: It is not that He destroys them while they give [others] the right in what is between them (*al-ḥaqq fīmā baynahum*) while they are polytheists (*mushrikīn*) and [practice] the wrongdoing of idolatry (*al-ẓulm al-shirk*).”⁹⁹

Here, al-Farrāʾ begins with the similar interpretation as provided by Muqātil and others by emphasizing God’s transcendence over injustice. But al-Farrāʾ also introduces here another interpretation, which shifts the agent (*fāʿil*) of the injustice or wrongdoing (*ẓulm*) to the people of the communities. This shift has major implications for the overall meaning of the verse, and for the possible theology presented by it. In this interpretation God will not destroy the people of the communities for their idolatry, and He will not destroy them as long as they uphold justice between them and others. In this scheme, violations in faith are given divine respite, but violations in ethics are not. He thereby acknowledges that non-Muslims, even polytheists, can know and uphold ethics in a satisfactory way, despite their unbelief. Al-Farrāʾ is the earliest exegete I could find which provides this interpretation¹⁰⁰, and is also one of the earliest exegetes adhering to the positions for which the later Sunnī orthodox became known.¹⁰¹ Al-Farrāʾ does say in his exegesis on Q.6:131 that his reading is “reported”, and his “reported exegesis” are generally anonymous, but the main influences and sources used by al-Farrāʾ are known such as the early exegete Muḥammad al-Kalbī (d. 146/734)¹⁰² which is also directly mentioned by al-Farrāʾ as a “reported exegesis” at his commentary on Q.37:125.¹⁰³ And it is claimed that al-Kalbī’s exegesis is the direct “result of Ibn ‘Abbās’ teachings”.¹⁰⁴ There is also a *tafsīr* work attributed to the prophetic companion Ibn ‘Abbās (d. 68/688) which mentions these exegetical positions, but as there are logical issues with this attribution it cannot be

⁹⁸ On al-Farrāʾ, see: Doğan, *History Of The Methodology*, 137–138; Mustafa Shah, “Exploring The Genesis Of Early Arabic Linguistic Thought: Qur’anic Readers And Grammarians Of The Kūfan Tradition (Part I)”, *Journal Of Qur’anic Studies* 5, no. 1 (2003): 50, 55–59; Maḥmūd, *Manāḥij al-mufasssīrīn*, 23–28; Al-Banjābīrī, *Ṭabaqāt al-mufasssīrīn*, 87; Nuwayhid, *Muʿjam al-mufasssīrīn*, 729–730.

⁹⁹ Yaḥyā b. Ziyād al-Farrāʾ, *Maʿānī al-qurʾān* (Egypt: Dār al-Miṣriyat li-l-Tāʾlīf wa-l-Tarjima, 2010), 2:31.

¹⁰⁰ i.e. The earliest exegete published or studied discussing these verses. It was beyond the scope of this paper to delve into unpublished manuscripts, but I hope to commit to a larger research incorporating unpublished works and works by other schools. My main focus here is to analyze and establish a trend, and the current published exegetical works provided enough data.

¹⁰¹ I agree with Edmund Beck that al-Farrāʾ has been wrongly labeled as a Muʿtazila by classical Islamic scholarship, as the position taken by al-Farrāʾ here, and at other verses, clearly show a proto-Sunnī adherence. Cf. Edmund Beck, “The Dogmatic Religious Stance Of The Grammarian Yaḥyā Ibn Ziyād Al-Farrāʾ”, in *The Qurʾan: Formative Interpretation* (USA: Ashgate, 1999), 137–158. Mustafa Shah also agrees with this position: Mustafa Shah, “Al-Ṭabarī And The Dynamics Of *Tafsīr*: Theological Dimensions Of A Legacy”, *Journal Of Qurʾanic Studies* 15, no. 2 (2013), 87.

¹⁰² On al-Kalbī, see: Versteegh, *ibid*, 59–61, 109–125; Al-Banjābīrī, *Ṭabaqāt al-mufasssīrīn*, 62–64; Nuwayhid, *Muʿjam al-mufasssīrīn*, 530–531.

¹⁰³ Al-Farrāʾ, *Maʿānī al-qurʾān*, 2:392.

¹⁰⁴ Versteegh, *ibid*, 60.

claimed to be the earliest *tafsīr* applying it.¹⁰⁵ It is therefore possible that al-Farrā'’s exegesis on Q.6:131 and 11:117 is relating theological and exegetical positions which are viewed as being from the school of Ibn ‘Abbās (and which was known for its *ijtihādi* approach to exegesis).¹⁰⁶ We see this interpretive attribution also clearly with the Ḥanafī scholar Abū al-Layth al-Samarqandī (d. 375/985)¹⁰⁷, who directly refers to both Ibn ‘Abbās and al-Farrā’:

“He [God] said: {**And He will not destroy the communities because of wrongdoing**}, He is saying your Lord does not punish (*li-yu‘adhdhab*) the people of the communities, {*bi-zulm*} means: without any crime (*jurm*), {*wa ahluhā muṣliḥūna*} means: obedient monotheists (*muwaḥādīn muṭī‘yīn*). And it is related from Ibn ‘Abbās saying: ‘God doesn’t destroy a people except by their acts (*bi-a‘malihim*), and He does not destroy them because of idolatry (*shirk*).’ Meaning: He does not destroy them because of their idolatry while they are rightdoers and do not do wrong to others, because idolatry is compensated in the hellfire (*al-nār*) and nowhere else. God only destroys them because of their transgressions added (*ziyāda*) to their idolatry, such as [with] the people of Ṣāliḥ by wounding the she-camel, and the people of Lot by acting wickedly, and the people of Shu‘ayb by devaluing the weight and measure, and the people of Pharaoh by torturing Moses and the tribe of Israel. And it could be saying (*yuqālu*) {**and your Lord does not destroy the communities because of wrongdoing while they are rightdoers**}, meaning: and in them [i.e. the communities] someone is calling towards the good and forbids the bad. And al-Farrā’ said: He will not destroy them while they undertake the right in what is between them, while they are criminals [i.e. idolators].”¹⁰⁸

From this exegesis we can deduce three different approaches towards the punishment-narratives:

- * God is not unjust and therefore only destroys people for being disobedient in relation to faith.
- * God does not destroy people for their idolatry, as this is compensated in the hellfire (i.e. eschatological), but only destroys them when they perform ethical violations added to or separate from their unbelief.

¹⁰⁵ For the attributed exegesis (which some also see as collected notes of his students), see: ‘Abd Allāh Ibn ‘Abbās, *Tanwīr al-miqbās min tafsīr Ibn ‘Abbās* (Beirut: Dār al-Kutub al-‘ilmiyyah, 1992), 156. For the problems surrounding these attributed works, see: Gilliot, *ibid.*, 9–13; Andrew Rippin, “Ibn ‘Abbās’s Al-Lughāt fī l-Qur’ān” and “Ibn ‘Abbās’s Gharīb al-Qur’ān”, in *The Qur’an: Formative Interpretation* (USA: Ashgate, 1999), 109–122; Abdul-Raof, *Schools of Qur’anic Exegesis*, 14, 17–19.

¹⁰⁶ On the school of Ibn ‘Abbās, also known as the Meccan school, see: Abdul-Raof, *Schools of Qur’anic Exegesis*, 147–151.

¹⁰⁷ On al-Samarqandī and his exegesis, see: Al-Maṭrafi, *Al-‘aqā‘idiyyat wa tafsīr*, 689–690; Ḥaqqī, *‘ulūm al-qur’ān*, 1:297–306; Al-Banjabūrī, *Ṭabaqāt al-mufasssīrīn*, 140–141.

¹⁰⁸ Al-Samarqandī explains at Q.11:116 that criminals (*mujrimīn*) are to be understood as idolators (*mushrikīn*), and sees 11:117 as a continuation of that verse. Abū al-Layth al-Samarqandī, *Tafsīr al-Samarqandī aw baḥr al-‘ulūm* (Beirut: Dār al-Kutub al-‘ilmiyyah, 1993), 2:146.

- * God will not destroy them as long they call towards the good and forbid the bad (i.e. they apply *ḥisba*).

Again, this exegesis begins with an emphasis on divine justice and the importance of correct faith. Which was clearly the dominant reading of this verse in the formative period. Al-Samarqandī provides an intersectional interpretation as possible (by using *yuqālu*)¹⁰⁹ in relation to believers being destroyed by failing to apply *ḥisba*.¹¹⁰ But it is unclear if this interpretation is based on a separation of belief and works or not. If it is read from a separation framework, then it means believers, despite their belief, can be destroyed because they performed ethical violations. If it read from a framework wherein belief and works are collapsed into another, then it means that the failure in works (the failure in applying *ḥisba*) has annihilated the faith of the inhabitants, thereby having become unbelievers.¹¹¹ But a secondary reading is provided which presents the separation of belief and works as the true orthodox position by referring to a saying of Ibn ‘Abbās¹¹², the second most important exegetical authority within Sunnī Islam next to the Prophet.¹¹³ Thereby providing a clear traditional basis for al-Farrā’'s proposed exegesis, whom al-Samarqandī partially cites at the end. But al-Samarqandī shifts Ibn ‘Abbās’ statement towards saying the cause of divine worldly punishment is ethical violations which are *added* to unbelief. Although he emphasizes idolatry is only punished in the hereafter, it is clear he excludes unethical believers from divine worldly punishment and only includes unethical idolaters. The interpretation by al-Farrā’ on the other hand seemingly states worldly punishment to be only caused by ethical violations, despite any unbelief (or belief?). No reference is provided by them for that *ẓulm* can be understood as *shirk*, but it has a clear Qur’ānic basis in Q.31:13 {**idolatry is a tremendous wrong** (*al-shirk la-ẓulm ‘aẓīm*)} which is also cited in the prophetic exegesis on Q.6:82 {**do not clothe their belief with wrongdoing** (*lam yalbisū ‘īmānihum bi-ẓulm*)}. Interestingly enough, Q.6:82 is not discussed by al-Farrā’, but other early *tafsīr* sources show the prominence and wide acceptance of this exegetical *ḥadīth* among Sunnī scholars such as al-Māturīdī:

“It is said (*qīla*): *Al-ẓulm* here is *al-shirk*. It is narrated on Ibn Mas‘ūd, may God be pleased with him, that he said: ‘For when this verse was revealed [Q.6:82] a split arose among the Muslims, and they said: ‘O messenger of God, which one

¹⁰⁹ The use of *yuqālu* can be understood to imply an exegesis based on less directly implied, or less logical or traditional footing than a reading introduced with *yaqūlu*. But in these early forms of exegesis, there was no systematic application of these terms, although some used *yuqālu* to introduce alternative readings. Cf. Versteegh, *ibid*, 115.

¹¹⁰ On *ḥisba*, see: *EQ*, A. Kevin Reinhart, “Ethics and the Qur’ān”, 2:62–65.

¹¹¹ I believe this reference to *ḥisba* must be understood to be from a framework wherein belief and works are collapsed into another, as will be shown with other exegetes who also present *ḥisba* in relation to Q.11:117. The Ḥanbalīte Najm al-Dīn al-Tūfī al-Ṣarṣarī (d. 716/1316) says that the position of linking *ḥisba* and divine worldly punishment belongs to the beliefs of the *Jabriyya*, the fatalists or extreme voluntarists, under which the Khawārīj also fall. I therefore classify it as falling under reading (A). Al-Ṣarṣarī, *Al-Ishārāt*, 265.

¹¹² I have seen no earlier source for this tradition. According to the Ash‘arīte exegete Abū al-Ḥasan al-Wāḥidī (d. 468/1076), which is also cited later by Shī‘ite exegete Abū ‘Alī al-Faḍl al-Ṭabarsī (d. 548/1153), there is a similar reading from Ibn ‘Abbās by his student ‘Aṭā’ b. Abū Rabāḥ (d. 115/733). See: Abū al-Ḥasan ‘Alī b. Aḥmad al-Wāḥidī, *Tafsīr al-basīṭ* (Saudi-Arabia: ‘Imādat al-Baḥth al-‘ilmī, 2009), 11:586–587; Abū ‘Alī al-Faḍl b. al-Ḥasan al-Ṭabarsī, *Majmu‘ al-bayān fī tafsīr al-qur’ān* (Beirut: Dār al-‘ulūm, 2005), 5:269.

¹¹³ Berg, *ibid*, 131–135.

of us has not wronged himself!’ He said: ‘That is not [what is meant], here it is *al-shirk*’, and they listened to what Luqmān said to his son: {**O my son, do not associate anything with God, as idolatry is a tremendous wrong** (*al-shirk la-ẓulm ‘aẓīm*)}.¹¹⁴

Other early works while discussing Q.6:82, such as Muqātil¹¹⁵, only mention the interpretation of *ẓulm* as *shirk* without any reference, but al-Ṭabarī mentions several variations of the exegetical *ḥadīth* and more than a dozen of early exegetical authorities providing this interpretation on their own authority.¹¹⁶ Reading *ẓulm* as *shirk* was therefore accepted early on. This interpretation of Q.6:82 was also used by the majority of later exegetes as an antithesis for the Mu‘tazila reading who understood *ẓulm* here as major sins (*kabā’ir*), and therefore as proof for the eternal lost status of the unrepentant *fāsiq*¹¹⁷:

“[...] it is meant here as *shirk* [...] And this opinion is what is adhered to by the *ahl al-Sunna*, while the Mu‘tazila adhere to the opinion that {*bi-l-ẓulm*} in this verse is intended as sinning (*al-ma ‘ṣiyya*) and not *shirk*.¹¹⁸

The Sunnī orthodox agreed that grave sinners are liable for temporary punishment in hell, but their status as believers saves them from eternal punishment.¹¹⁹ Although unstated the majority of commentaries, it is undeniable that the prophetic exegesis on Q.6:82 explaining *ẓulm* as *shirk* was used analogically to interpret Q.6:131 and 11:117 in a similar fashion: to separate *‘īmān* and *a ‘māl*, and to provide an alternative to the Mu‘tazila reading. We see clear proof of this analogy in the exegesis of al-Rāzī on Q.11:117 who uses Q.31:13 as a basis for reading *ẓulm* as *shirk*, and al-Farrā’ who labels *shirk* as “the greatest of sins (*a ‘ẓam al-dhunūb*)” at Q.6:131.¹²⁰ The exegetical precedence of Q.6:82 was used to project the (proto-)Sunnī theological

¹¹⁴ Al-Māturīdī, *Tā’wīlāt*, 4:149–150. See also: Abū Bakr ‘Abd al-Razāq, *Tafsīr ‘abd al-Razāq* (Beirut: Dār al-Kutub al-‘ilmiyyah, 1999), 2:56; Sulaymān al-Ṭayyār, *Mawsū‘at al-tafsīr al-mā’thūr* (Beirut: Dār Ibn Ḥazm, 2017), 8:457; Leemhuis, *ibid*, 13–14.

¹¹⁵ Muqātil, *Tafsīr*, 1:357.

¹¹⁶ Cf. Ibn Jarīr al-Ṭabarī, *Jāmi‘ al-bayān fī tā’wīl al-Qur’ān* (Beirut: Mu‘assasat al-Risālah, 2000), 11:494–502. Even the Khawārī exegete al-Hawārī applies this interpretation, citing an opinion by ‘Umar ibn Khaṭṭāb which is a paraphrase of the exegetical *ḥadīth*. Al-Hawārī, *Tafsīr*, 1:540–541. This ‘Umar tradition is also cited by al-Māturīdī, and also by the early authority ‘Abd Allāh b. Wahb al-Miṣrī (d. 197/812): ‘Abd Allāh b. Wahb al-Miṣrī, *Al-jāmi‘ al-tafsīr al-qur’ān* (Beirut: Dār al-Gharb al-Islāmī, 2003), 2:104–105. For a full referenced overview, see: Al-Ṭayyār, *Mawsū‘at*, 8:458–461.

¹¹⁷ For the typical Mu‘tazila reading of this verse, see: Al-Jubā’ī, *Tafsīr*, 215–216; Ibn ‘Umar al-Zamaksharī, *al-Kashāf ‘an ḥaqā’iq al-tanzīl wa ‘uyūn al-aqāwīl fī wujūh al-tā’wīl wa ma ‘a ḥawāshī* (Beirut: Dār al-Kutub al-‘ilmiyyah, 2015), 2:40; Abū Ja‘far b. al-Ḥassan al-Ṭabarsī, *Al-tibyān fī tafsīr al-qur’ān* (Beirut: Dār ihyā’ al-Turāth al-‘Arabiyya, n.d.), 4:190–191. Al-Qāḍī ‘Abd al-Jabbār seemingly tries to reconcile the popular prophetic exegesis with the general Mu‘tazila reading by stating that: “Of all the sins many are included in *ẓulm*, therefore the Exalted says {**as idolatry is a tremendous wrong** (Q.31:13)}. Al-Qāḍī ‘Abd al-Jabbār, *Tanzīh al-qur’ān ‘an al-muṭā‘in* (Beirut: Dār al-Kutub al-‘ilmiyyah, 2008), 171.

¹¹⁸ Aḥmad b. Muḥammad al-Ṣāwī, *Hāshiyat al-‘alāma al-Ṣāwī ‘alā tafsīr al-Jalālayn* (Beirut: Dār al-Jīl, n.d.), 2:26. For other Sunnī responses to the Mu‘tazila reading, see: Al-Qūnawī, *Hāshiyat Al-Qūnawī*, 8:174; ‘Umar b. Muḥammad al-Sakūnī, *al-Tamyīz limā awda ‘hu al-Zamaksharī min al-i‘tizāl fī tafsīr al-kitāb al-‘azīz* (Beirut: Dār al-Kutub al-‘ilmiyyah, 2005), 2:176–177.

¹¹⁹ Feras Hamza, “Temporary Hellfire Punishment And The Making Of Sunni Orthodoxy”, in *Roads To Paradise: Eschatology And Concepts Of The Hereafter In Islam* (Leiden: Brill, 2016), 371–406.

¹²⁰ Al-Rāzī, *Al-Tafsīr al-kabīr*, 18:61; Al-Farrā’, *Ma‘ānī al-qur’ān*, 1:355.

developments unto the other two verses and shows how the development of orthodox Sunnī theology is reflected within the *tafsīr* tradition. These readings also show how Islamic theology developed towards viewing the *qīṣaṣ al-anbiyā'* from providing a dichotomy between belief and unbelief, towards a dichotomy between good and bad works. Both the theological and ethical implications of this interpretation were enormous and led to the development of multiple nuances and adaptations after the pre-classical period.

1.5. Theological trends in the *tafsīr* tradition on Q.11:117

To analyze this development we need to compare multiple exegetical works to determine the trends within the *tafsīr* tradition. There are multiple verses using derivatives of *halaka* (to destroy), *ẓalama* (to be unjust) or *dhanaba* (to sin) in relation to the *qīṣaṣ al-anbiyā'*, but it is only in Q.11:117 where *halaka* is combined with *ẓalama* and *ṣalaḥa* (to do right).¹²¹ It is the only verse directly combining divine worldly punishment with ethics in such a way whereby the unbelievers can be understood to not only being destroyed because they did wrong, as in Q.18:59 {**We destroyed them for their wrongdoing** (*ahlaknāhum lammā ẓalamū*)}¹²², but also as *not* being destroyed because they did right. This latter element became a theological ground for Sunnism in its adherence to the hierarchical dominance of ethics over belief. From the above mentioned exegetical works we can discern two main approaches to Q.11:117 within the general *tafsīr* tradition:

- A. God does not punish unjustly (*bi-ẓulm*) people who are correct (*ahluḥā muṣliḥūn*) in their faith (*īmān*) nor is His punishment towards unbelievers unjust as they have called it upon themselves by being theologically unjust through their unbelief (i.e. they perform vertical *ẓulm*).
- B. God does not punish people for their theological injustice (*bi-ẓulm*) of polytheism (*shirk*) or unbelief (*kufṛ*), if they are people who perform ethical goodness (*ahluḥā muṣliḥūn*) and are therefore not unjust towards others (i.e. their vertical *ẓulm* is ignored if they do not perform horizontal *ẓulm*).

Reading (A) links divine justice (*ʿadl*) to divine protection which is attained by adhering to ethical monotheism. This interpretation presents correct faith (*īmān*) as the main expression of ethical goodness (*maṣlaḥa*). Idolatry and unbelief (*kufṛ*) in revelatory monotheism (i.e. vertical *ẓulm*) are therefore just causes for divine worldly punishment. Reading (B) links injustice (*ẓulm*) to humans instead of God, whereby their injustice is theological (i.e. vertical *ẓulm*), but they are given respite as they act ethically correct towards other humans (they avoid horizontal *ẓulm*). This interpretation separates faith (*īmān*) and works (*aʿmāl*), and presents ethical injustice (horizontal *ẓulm*) as the main cause for divine worldly punishment. Q.11:117 therefore lies at the center of two different theologies each with their own anthropologies, as theology and

¹²¹ For all occurrences in the Qurʾān of *halaka* and its derivatives, see: Muḥammad Fuād ʿAbd al-Bāqī, *Al-muʿjam al-muḥfaris li-alfāz al-qurʾān al-karīm* (Beirut: Dār al-Jīl, n.d.), 737–738.

¹²² Cf. Q.14:13, 22:45, 28:59, and 29:31.

anthropology are unmistakably intertwined.¹²³ Both readings (A) and (B) see God as just, but reading (A) presents a theology wherein God takes revenge on humans violating His personal rights regarding monotheism and worship, thereby presenting an anthropology whereby humans are first and foremost defined by their faith. Reading (B) presents a theology wherein God takes revenge on humans violating the rights of other humans, thereby presenting an anthropology whereby humans are first and foremost defined by their ethics.

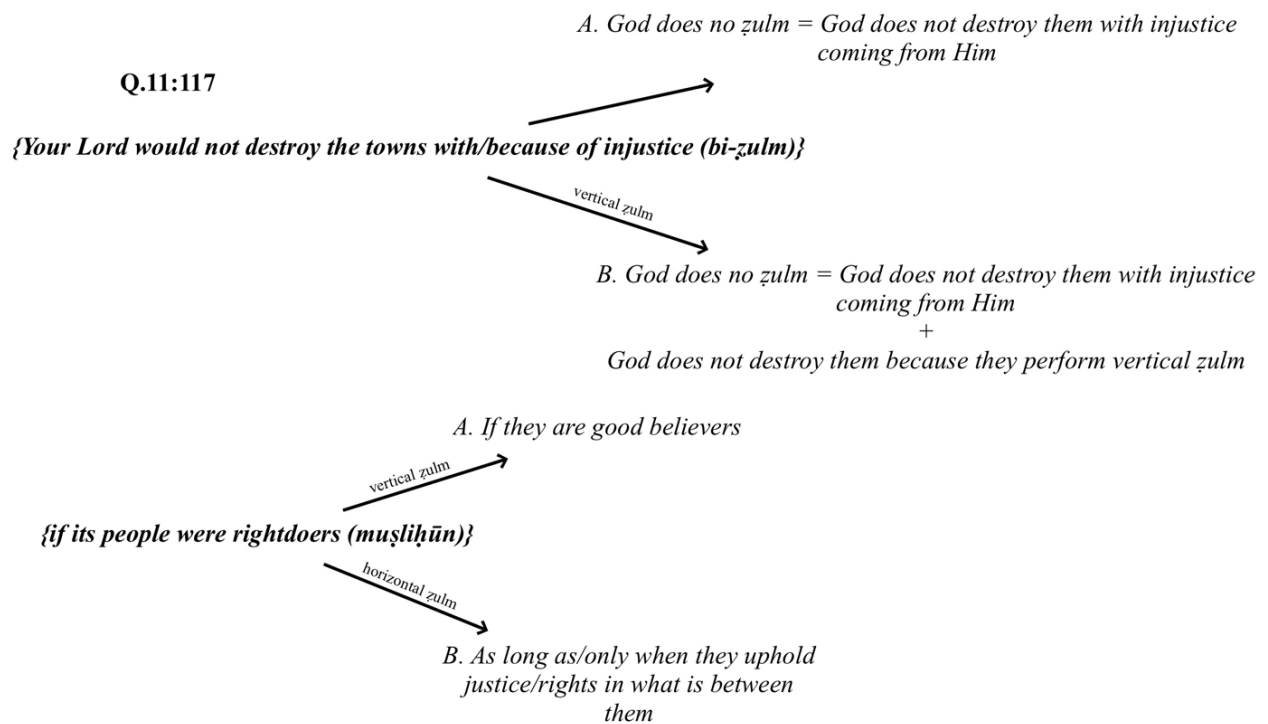


Figure 3. Two interpretive approaches to Q.11:117

¹²³ Kaufman, “Theology As Imaginative Construction” *Journal Of The American Academy Of Religion* 50, no. 1 (1982), 74–79.

1.6. The development of the Sunnī *tafsīr* tradition on Q.11:117

The exegesis on Q.11:117 by al-Farrā' was picked up early on by other pre-classical scholars, such as the already cited al-Samarqandī, but also another key scholar within the *tafsīr* tradition, al-Ṭabarī. To facilitate our analysis we will indicate the (A) and (B) readings within the cited exegesis:

- A { “Abū Ja‘far said: God the Exalted is saying, [when] He mentions **{and your Lord does not}**, Oh Muḥammad, **{destroy the communities}** which He destroyed and which report He related to you, unjustly while they are a people of rightdoers in their acts by not harming [others], so [if] they were destroyed while they acted righteously and obeyed their Lord, [this would be] unjust, but He destroyed them because the people disbelieved in God and were granted delay (*tamādthim*) in their offense, and their denial of their messengers, and their performance of misdeeds. And it is said (*qīla*): meaning that He does not destroy them for their sharing partners (*shirkhum*) with God. And that He says **{bi-ẓulm}** meaning: *bi-shirk*. **{and they are a people of rightdoers}** in what is between them they are not unjust, but they give [others] the right in what is between them (*al-ḥaqq fīmā baynahum*) while they are polytheists (*mushrikīn*) but were only destroyed for being wrongdoers.”¹²⁴ }
- B

Al-Ṭabarī does not mention al-Farrā' here, but explaining *ẓulm* with *shirk*, and the verbatim correlation of the sentence “the right in what is between them (*al-ḥaqq fīmā baynahum*) while they are polytheists (*mushrikīn*),” were clearly taken from al-Farrā'. And it is observed that al-Ṭabarī cites al-Farrā' anonymously throughout his exegesis, whereby some state that al-Farrā'’s work functioned as a template for the former.¹²⁵ In the classical period there are several changes in the (B) reading, the most important being that it is adopted as the dominant interpretation representing the Sunnī orthodox, as stated by the Ash‘arīte exegete Abū al-Ḥasan al-Wāḥidī (d. 468/1076)¹²⁶:

- A { “Abū Bakr al-Anbārī said: He intents with the communities its people and its residences and mentions its people after it in His statement **{and its people}** exposing for what they not include. The exegetes and the people of meaning [i.e. the linguists] mention two statements on this verse: 1) **And God does not destroy the people of the communities and they are rightdoing Muslims (*muslimūn ṣālihūn*)**, as that would be wrongdoing from Him [directed] towards them. 2) And the *ahl al-Sunna* say [this verse is read as]: that your Lord does not destroy the people of the communities because of their idolatry and them doing wrong to themselves, and }
- B

¹²⁴ Al-Ṭabarī, *Jāmi‘ al-bayān*, 15:530.

¹²⁵ Mustafa Shah, “Al-Ṭabarī And The Dynamics Of Tafsīr: Theological Dimensions Of A Legacy”, 84.

¹²⁶ On al-Wāḥidī and his exegetical methodology and works, cf. Walid A. Saleh, “The Last Of The Nishapuri School Of Tafsīr: Al-Wāḥidī (D. 468/1076) And His Significance In The History Of Qur’anic Exegesis”, *Journal Of The American Oriental Society* 126, no. 2 (2006): 223–243; Walid A. Saleh, “The Introduction To Wāḥidī’s *Al-Basīr*: An Edition, Translation And Commentary”, in *Aims, Methods And Contexts Of Qur’anic Exegesis (2Nd/8Th–9Th/15Th C.)* (Oxford: Oxford University Press, 2013), 67–100; Ḥaqqī, *‘ulūm al-qur’ān*, 1:331–340.

they are rightdoers undertaking the right between them. Meaning [the destruction] is not [caused by them being] from the way of the unbelievers - when they pursue the right in the social affairs (*al-mu'āmalā*) and they avoid wrongdoing. That God sends down punishment to them annihilating them, and the meaning of this [is provided] through a saying from Ibn 'Abbās in a narration from 'Aṭṭā': '**{and your Lord does not destroy the communities}**' intending the people, **{*bi-zulm*}** intending because of idolatry and **{its people are rightdoers}** intending in what between them, such as with the people of Lot He punished them for sodomy, and He said about them **{and before they had being acting evil (Q.11:78)}** intending idolatry, and such as the people of Shu'ayb were punished for devaluing the measure.' And this exegesis proves that the insolence of [performing these different] types of sinful rebellions are nearer towards the punishment of eradication in the world [compared to] idolatry.'¹²⁷

B

This development in the classical period shifts reading (B) from being a weak or minority reading in the pre-classical period, towards being the dominant reading adopted by the Sunnī orthodox. Making (B) into the typological Sunnī orthodox reading had a direct consequence for reading (A): it became to be viewed as the typological reading of the Mu'tazila, the main opponents of the kalāmīc Sunnī orthodox.¹²⁸ And here also we are provided with another tradition linking reading (B) to Ibn 'Abbās. That readings (A) and (B) revolved around the separation of belief and works can also be seen in an important term al-Wāḥidī introduces: the communities were destroyed because of their failures in social affairs (*al-mu'āmalā*), thereby excluding faith (which falls under the category *al-'ibādāt*, worship) as a cause for worldly punishment.¹²⁹ The use of *fiqh* categories did not stop there. In the post-classical period this dichotomy of *'īmān*/*'ibādāt* and *a'māl*/*mu'āmalāt*, as discussed above, was further expanded into the dichotomy of divine and human rights (*ḥuqūq Allāh wa ḥuqūq al-'ibād*):

faith ↔ works
'īmān ↔ *a'māl*
'ibādāt ↔ *mu'āmalāt*
ḥuqūq Allāh ↔ *ḥuqūq al-'ibād*

Sunnī theology developed an understanding that divine habit (*sunnat Allāh*) towards theological injustice (i.e. vertical *ẓulm*) was to be that of divine respite (*madā* or *imhāl*): God delays the punishment of vertical *ẓulm* until the hereafter. And it is this divine respite which was used as a ground for classical rights discourse: 1) God is an ethical being, 2) He therefore grants respite for vertical *ẓulm* but not for horizontal *ẓulm*, 3) this shows there is a distinction between divine and human rights (i.e. separation of belief and works), 4) and therefore the hierarchical

¹²⁷ Al-Wāḥidī, *Tafsīr al-basīṭ*, 11:586–587.

¹²⁸ Al-Sakūnī, *al-Tamyīz limā awda 'hu al-Zamakhsharī*, 2:341.

¹²⁹ On the dichotomy of *mu'āmalāt* and *'ibādāt*, see: Emon, *Religious Pluralism*, 78.

dominance of human rights over divine rights. As we have shown, aspects 1) and 2) were present in pre-classical and classical *tafsīr*, and was, probably due to its rising dominance in the classical period, also mentioned as a secondary interpretation by the Mu‘tazilite exegete al-Zamakhsharī¹³⁰:

A { “This is with the meaning of truth and uprightness. And the *lām* [in *li-yuhlik*] is to confirm the denial. And the {*bi-zulm*} is the condition of the agent (*ḥāl min al-fā’il*), and its meaning is that it is impossible (*istaḥāl*) from divine wisdom (*al-ḥikma*) that God destroys the communities unjustly while its people are rightdoers. His essence transcends (*tanzīhā li-dhātahu*) wrongdoing. And proclaims with it that He destroyed rightdoers due to [their own] wrongdoing. And it is said (*qīla*): The wrongdoing is idolatry, and its meaning is that He does not destroy the communities caused by (*bi-sabab*) the idolatry of its people while they are rightdoers undertaking the right in what is between them and not incorporate (*yaḍummūna*) to their idolatry any corruption later on.”¹³¹

B

Al-Zamakhsharī’s work became, despite his Mu‘tazilism, the most popular *tafsīr* in Islam, whereby multiple marginal commentaries (*ḥawāshī*) were produced to counter or downplay its Mu‘tazila theology as a way to keep its popularity and central use in Sunnī syllable acceptable.¹³² And with its popularity it also increased the normative status of reading (B). It is also in the classical period where grammar became to be employed to prove either the veracity of readings (A) or (B), being a rather late development.¹³³ This shows the multiple methods deemed necessary to also ground the theological paradigm shift of reading (B) in the Qur’ānic text itself, and not only in theological premises. With reading (B), aspects 1) and 2) laid the

¹³⁰ According to Andrew Lane does al-Zamakhsharī’s exegesis not strictly adhere to Mu‘tazilite principles, while Kifayat Ullah’s analysis shows the ways it does conforms to the Mu‘tazilite five principles (*uṣūl al-khamsa*). As al-Zamakhsharī mentions reading (B), which contradicts many of these five principles, it can be assumed that his theological positions as taken within his *tafsīr* work probably lies in the middle of these two extremes. On this, and al-Zamakhsharī in general, cf. Andrew J Lane, *A Traditional Mu‘tazilite Qur’an Commentary: The Kashshāf of Jār Allāh al-Zamakhsharī* (d.538/1144) (Boston: Brill, 2006); Kifayat Ullah, *Al-Kashshāf: Al-Zamakhshari’s* (d. 538/1144) *Mutazilite Exegesis Of The Quran* (New York: De Gruyter, 2017); Doğan, *History Of The Methodology*, 169–174; Maḥmūd, *Manāhij al-mufasssīrīn*, 105–110; Al-Banjabīrī, *Ṭabaqāt al-mufasssīrīn*, 200–202.

¹³¹ Ibn ‘Umar al-Zamakhsharī, *al-Kashhāf ‘an ḥaqā’iq al-tanzīl wa ‘uyūn al-aqāwīl fī wujuh al-tā’wīl* (Beirut: Dār al-Ṣādir, 2010), 2:686–687.

¹³² Cf. Lane, *ibid*, 19–23; Walid A. Saleh, “The Gloss As Intellectual History: The Hāshiyahs On Al-Kashshāf”, 217–259; Walid A. Saleh, “The Hāshiya Of Ibn Al-Munayyir (D. 683/1284) On Al-Kashshāf Of Al-Zamakhsharī”, in *Books And Written Culture Of The Islamic World: Studies Presented To Claude Gilliot On The Occasion Of His 75th Birthday* (Leiden: Brill, 2015), 86–90; M. Taha Boyalík, “The Debate On The Nature Of The Science Of Tafsīr In The Tradition Of Sharḥs And Hāshiyas On Al-Kashshāf”, *Nazariyat Journal For The History Of Islamic Philosophy And Sciences* 4, no. 1 (2017): 87–114; Al-Maṭrafi, *Al-‘aqā’idiyyat wa tafsīr*, 674–677, 684–685. It was the prime *tafsīr* text, together with its supercommentaries, studied in Ottoman scholarship, cf. Shahab Ahmed and Nenad Filipovic, “The Sultan’s Syllabus: A Curriculum For The Ottoman Imperial Medreses Prescribed In A Fermān Of Qānūnī I Süleymān, Dated 973 (1565)”, *Studia Islamica* 98/99 (2004), 196, 207–210. For an extensive overview of commentaries on al-Kashhāf, see: ‘Abd Allāh Muḥammad al-Habashī, *Jāmi ‘al-shurūḥ wa al-ḥawāshī* (Abū Dhabi: Al-Majma ‘al-Thaqāfi, 2004), 3:1354–1367.

¹³³ The first extensive grammatical reading is by Burhān al-Dīn al-Kirmānī (d. 505/1112), see: Burhān al-Dīn al-Kirmānī, *Gharā’ib al-tafsīr wa ‘ajā’ib al-tā’wīl* (Beirut: Dār al-Qiblat li-Ituqāfat al-Islāmiyya, n.d.), 1:522–523. On al-Kirmānī, see: Al-Banjabīrī, *Ṭabaqāt al-mufasssīrīn*, 190–191; Nuwayhid, *Mu‘jam al-mufasssīrīn*, 662.

ground for post-classical scholars as the Late-Ashʿarīte theologian Fakhr al-Dīn al-Rāzī¹³⁴ to expand these into the Sunnī rights discourse of aspects 3) and 4):

“What is intended here with wrongdoing is idolatry, as is said by the Exalted: {**idolatry is a great wrongdoing** (Q.31:13)} And the meaning is that the Exalted does not destroy the people of the communities based purely (*bi-mujarrad*) on them being idolaters if they are rightdoers in social affairs (*al-muʿāmalāt*) in what is between them and the occurrence that the punishment of extermination (‘*adhāb al-istiʿsāl*’) is not send down for the sake of being a people holding creeds of idolatry or unbelief. But on the contrary He only sends down the punishment when [they are] evil (*asāwā*) in social affairs and they expand harm (*al-iydhāʾ*) and wrongdoing. And for this the jurists (*al-fuqahāʾ*) say that divine rights (*ḥuqūq Allāh*) [concerning creed and worship] are based on liberality (*musāmaḥa*) and leniency (*musāhala*), and human rights (*ḥuqūq al-ʿibād*) on paucity (*ḍayq*) [of life-protecting mechanisms] and scarcity (*shaḥḥ*) [of these rights].¹³⁵ And it is said in the tradition (*al-athar*) that rulership remains with unbelief and does not remain with injustice (*al-mulk yuqbā maʿ al-kufr wa lā yuqbā maʿ al-ẓulm*). Therefore, the verse means: ‘And your Lord does not destroy the communities because of wrongdoing, meaning He does not destroy them based purely on their idolatry if they are rightdoers in their dealings with others in goodness (*al-ṣalah*) and appropriateness (*al-sadād*).’ And this is the interpretation (*tāʾwīl*) of the *ahl al-Sunna* on this verse. They say: and the proof (*al-dalīl*) on it is that the people of Noah and Hūd and Sāliḥ and Lot and Shuʿayb whereby the punishment of extermination was sent down on them, for what God the exalted relates about them, because of them harming mankind and doing wrong to creation.

B

A

And the second aspect: The interpretation preferred by the Muʿtazila is that [it is impossible for] the Exalted, that He destroyed them while they are in the condition (*hāl*) of being rightdoers and have done no crime, as He is too exalted for wrongdoing and does not act like that. On the contrary He only destroys them as a compensation for their evil deeds.”¹³⁶

Al-Rāzī applies, as the first in the *tafsīr* tradition, the *ḥuqūq* hierarchy to verse Q.11:117, which together with the political maxim “rulership remains with unbelief and does not remain with injustice”, form the foundational proof for what is presented as the interpretation of the Sunnī orthodox. This interpretation is therefore rather built on philo-theological premisses than on traditional sources. Although al-Rāzī is innovating using *uṣūlī* and philosophical arguments, we have also established that he is not breaking with the Sunnī exegetical tradition as the reading is based the separation of belief and works. After al-Rāzī it was his fellow Late-Ashʿarīte

¹³⁴ On al-Rāzī, his exegesis, and other works, cf. Al-Maṭrafi, *Al-ʿaqāʾidiyyat wa tafsīr*, 685–686; Doğan, *History Of The Methodology*, 86–90; Tariq Jaffer, *Rāzī: Master Of Qurʾānic Interpretation And Theological Reasoning* (New York: Oxford University Press, 2015); Yasin Ceylan, *Theology And Tafsīr In The Major Works Of Fakhr Al-Dīn Al-Rāzī* (Kuala Lumpur: ISTAC, 1996).

¹³⁵ Al-Rāzī discusses partially this element in his work on *uṣūl al-fiqh*: Al-Rāzī, *Al-Maḥṣūl*, 2:244.

¹³⁶ Al-Rāzī, *al-Tafsīr al-kabīr*, 18:61.

theologian al-Bayḍāwī¹³⁷ who abbreviates Rāzī's exegesis and combines it with al-Zamakhsharī's exegesis, whereby adding his own small theological element to it by emphasizing divine mercy:

“{**And your Lord does not destroy the communities for wrongdoing**} for idolatry. And its people are rightdoers in what is between them without incorporating corruption and rebellion with their idolatry. And this is His extreme mercy (*li-farṭ raḥmatahu*) and liberality (*musāmaḥatahu*) in His rights and from this do the jurists advance human rights [over divine] rights [when it comes to] hierarchy. And it is said (*qīla*) rulership remains with idolatry and does not remain with injustice.”¹³⁸

B

Due to the popularity of both al-Rāzī's and al-Bayḍāwī's *tafsīr* works¹³⁹, as well as their interpretation seemingly representing the dominant theological trend of post-classical Sunnism, it was their rights discourse on Q.11:117 which became the dominant exegesis in the Sunnī *tafsīr* tradition and was directly cited, rephrased, or expanded upon by later exegetes. Example of this is Nizām al-Dīn al-Qummī al-Naysābūrī (d. 850/1446)¹⁴⁰ who provides a redacted citation of al-Rāzī on (B2-3-4-b6-Q) as being the interpretation of the Sunnī orthodox, and whereby al-Rāzī's version of the Mu'tazilites (A) reading is replaced by al-Zamakhsharī's (A) reading:

“Then it elucidates what is necessary for the Praised to destroy the towns because of wrongdoing. The *ahl al-Sunna* say: [They are not destroyed] being caused purely (*mujarrad*) for idolatry while they are in a state of righteousness in social affairs (*al-mu'āmalāt*) and association (*al-'ishra*) in what is between them. As divine rights are based on generosity (*musāhala*) when they conflict with (*bi-khilāf*) human rights (*ḥuqūq al-'ibād*). And this is similarly stated in that rulership remains with unbelief and does not remain with injustice. And this exegesis is confirmed in that the punishment of extermination which was sent down on the people of Lot and Shu'ayb, what God the exalted has related about them, was for harming mankind and doing corruption on earth. And the Mu'tazila say the {*bi-zulm*} is the condition of the agent (*ḥāl min al-fā'il*), and its meaning is that it is impossible (*istahāl*) from divine wisdom (*al-ḥikma*) that God destroys the communities unjustly while its people are rightdoers. His essence transcends (*tanzīhā li-dhātahu*) wrongdoing.

B

A

¹³⁷ On al-Bayḍāwī, see: Maḥmūd, *Manāḥij al-mufasssīrīn*, 241–246; Doğan, *History Of The Methodology*, 111–115; James Pollock, Edwin Elliot Calverley and 'Abd Allāh al-Baydawi, *Nature, Man And God In Medieval Islam: 'Abd Allah Baydawi's Text, Tawālī' Al-Anwar Min Matalī' Al-Anzar, Along With Mahmud Isfahani's Commentary, Matalī' Al-Anzar, Sharh Tawālī' Al-Anwar* (Leiden: Brill, 2001), 1:xxiv, xxvi–xxxiii; EI3, Walid Saleh, “al-Bayḍāwī”; Nuwayhid, *Mu'jam al-mufasssīrīn*, 318; Al-Banjabīrī, *Ṭabaqāt al-mufasssīrīn*, 250–251.

¹³⁸ Al-Bayḍāwī, *Anwār al-tanzīl*, 1:475.

¹³⁹ Al-Rāzī became essentially the most read or referred to theologian in both Sunnī and Shī'ī scholarship, see: Jaffer, *ibid*, 2–3. Al-Bayḍāwī's popularity can simply be assessed by the fact that his exegesis has several hundred commentaries and glosses written on it, see: Al-Maṭrafi, *Al-'aqā'idīyyat wa tafsīr*, 679 fn.3; Al-Habashī, *Jāmi' al-shurūḥ wa al-ḥawāshī*, 1:310–343. The same accounts for the other works he has written.

¹⁴⁰ On al-Naysābūrī, see: Maḥmūd, *Manāḥij al-mufasssīrīn*, 235–240; Al-Banjabīrī, *Ṭabaqāt al-mufasssīrīn*, 269; Nuwayhid, *Mu'jam al-mufasssīrīn*, 145–146.

And proclaims with that He destroyed rightdoers because [of their own] wrongdoing.”¹⁴¹

In the modern period we see the fully developed discourse on Q.11:117 of the Sunnī *tafsīr* tradition with Indian scholar Muḥammad Thanā’ Allāh al-Maẓharī (d. 1225/1810)¹⁴² who begins with a rephrased grammatical reading based on al-Zamakhsharī’s (A) reading, then he provides the (B) reading with aspects 2) and 3) together with a prophetic exegesis, and ends with al-Bayḍāwī’s (B) reading with aspect 4):

A { “{**And your Lord does not destroy**} [with an] [*lām*] for confirmation of the denial, and makes it a designated verbal noun, meaning it is not the attribute (*ṣifah*) of your Lord to destroy the towns. Or your Lord does not destroy it unjustly, the case being a pronoun of the agent in destroying (*ḥāl min ḍamīr al-fā’il fī yuhlik*), meaning God does not destroy them unjustly while its people are rightdoers. Muslims [believe] the Most High is too transcendent (*tanzīh*) by His essence (*li-dhātahu*) to do any injustice. And it is said that it [the wrongdoing of the towns] is the wrongdoing of idolatry (*al-ẓulm al-shirk*). And the meaning is that God does not destroy towns because of their idolatry while they are in a condition of being a people who do right in what is between them which is undertaken with justice (*al-inṣāf*) and there is no injustice between them and others. [A tradition] taken from al-Tabarānī and Abū Shaykh about Jarīr bin ‘Abd Allāh who said: ‘When this verse was revealed, the messenger of God (*ṣaws*) said that it is about people who acted with justice between them and others.’ And that [God provides respite concerning idolatry] is from the extreme mercy (*li-faṭṭ raḥma*) and liberality (*musāmaḥa*) in His rights (*ḥuqūqahu*) and that is why the jurists give precedence to human rights (*ḥuqūq al-i’bād*) as the rights being pushed forward [in prominence]. And based on this it is said (*qīla*) that rulership remains with unbelief but does not remain with injustice.”¹⁴³

B

In our analysis we have discerned three major phases of Sunnī exegesis on Q.11:117:

- * Pre-classical phase (7–10th century): Reading (A) is the dominant reading among the different schools, (B) is slowly introduced by the proto and early Sunnī *tafsīr* tradition as a possible interpretation.
- * Classical phase (10–12th century): Reading (B) is openly adopted as the dominant Sunnī reading, with (A) being contrasted as a Mu‘tazila reading.
- * Post-classical to modern phase (12th–21st century): Reading (B) is expanded further, and is proposed by al-Zamakhsharī, al-Rāzī, and al-Bayḍāwī, who are the main sources for the post-12th century Sunnī *tafsīr* tradition. The latter two add Sunnī rights discourse to

¹⁴¹ Nizām al-Dīn al-Ḥasan al-Qummī al-Naysābūrī, *Gharā’ib al-qur’ān wa ragḥā’ib al-furqān* (Beirut: Dār al-Kutub al-‘ilmiyyah, 1995), 4:58–59.

¹⁴² On al-Maẓharī, see: Nuwayhid, *Mu‘jam al-mufasssirīn*, 507.

¹⁴³ Muḥammad Thanā’ Allāh al-Maẓharī, *Tafsīr al-Maẓharī* (Beirut: Dār al-Kutub al-‘ilmiyyah, 2007), 3:498–499.

(B) as an exposition of the hierarchy between belief and ethics. Reading (B) is now firmly established as the dominant reading within the Sunnī *tafsīr* tradition.

In our analysis of more than sixty *tafsīr* works belonging to the Sunnī exegetical tradition, more than 90% mention or promote the (B) reading with aspects 1) and 2), and more than 70% also mention or promote aspect 3). Almost 70% of the post-classical to modern works copy al-Rāzī's and/or al-Bayḍāwī's rights discourse (aspect 4). While only 20% of all analyzed exegetical works mention or promote reading (A).¹⁴⁴ Islamic exegesis on Q.11:117 went through several paradigm shifts, from the emphasis on divine justice in relation to unbelief towards the emphasis of divine justice in relation to human justice, and thereby becoming a school defining heuristic and thereby acting as a ground for theological humanism.

Conclusion

The *tafsīr* tradition, as an accumulative and overarching science, is a direct reflection of the trends emerging in other Islamic sciences. In our analysis we have shown how exegesis on verse Q.11:117 became an important indicator of developments within Islamic theology and jurisprudence. All schools in Islam agreed God is not unjust, and it is this consensus which forms the basis for the earliest readings of Q.11:117. God can never be the agent of any wrongdoing. But with the development of the Sunnī theological and jurisprudential tradition, a new reading emerges which shifts the agent of the wrongdoing to the people of the towns. God remains just, but His justice is expanded in that He will not destroy the towns caused by wrongdoing committed by its people. Divine justice becomes expressed in divine respite. The Sunnī *tafsīr* tradition adopted the (B) reading early on as it reflected the theological effects of the separation of belief and works which had become the defining theological feature of the Sunnī orthodox. This separation meant that unbelief was only punished in the hereafter, while works were judged in this world as in the next. This eventually became expressed in jurisprudence by deeming the fulfillment of human rights (*ḥaqq al-ʿibād*) as more pressing than the fulfillment of divine rights (*ḥaqq Allāh*). This served both as an affirmation of universal ethics as well as a theological explanation for the existence of religious pluralism. The separation of belief and works also affected the way the punishment narratives in the prophetic tales (*qiṣaṣ al-anbiyāʾ*) were understood: worldly punishment was not caused by unbelief *in* the messengers, but by injustice *towards* the messengers. This development within early to contemporary *tafsīr* works, ran parallel to the paradigm shifts within Sunnī theology, whereby radical monotheism and the separation of belief and works became more integrated. The radical monotheism of Islamic theology implied that God is transcendent above any need or want, and this theological construction had direct humanistic implications. Fulfilling divine rights does not benefit God, nor does their non-fulfillment harm Him. Therefore, divine rights are based on leniency and mercy, and divine respite becomes the norm. But Islamic anthropology on the other hand viewed human rights, on which human existence depend for survival and prosperity, as necessary to fulfill. It is exactly this hierarchy which were applied in the commentaries on Q.11:117. First by using general ethical terms and finally with al-Rāzī introducing the *ḥuqūq*

¹⁴⁴ We hope to publish this extensive analysis in a future publication.

scheme. Al-Zamakhsharī, al-Rāzī and al-Bayḍāwī became the dominant exegesis among later exegetes, representing the dominant theological trends of post-1200 Sunnī Islam. This shows that the *tafsīr* genre not only reflected other genres, but also generated unique discourses which remained confined within its own genre. With the development of the *ḥuqūq* scheme its presence within the *tafsīr* tradition went beyond mere legal discourse and portrays its progression into a full human rights discourse within classical Islam. Islamic exegesis on Q.11:117 went through several paradigm shifts, from the emphasis on divine justice in relation to unbelief towards the emphasis of divine justice in relation to human justice. The belief in divine respite becomes a school defining heuristic, and thereby acting as a ground for theological humanism which was rather built on philo-theological premisses than on traditional sources.

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